24th Congress,
2d Session.

[89]

MEMORIAL

OF THE

HEIRS OF CARLOS DE VILEMONT,

Praying the Confirmation of their Claim to a Tract of Land.

JANUARY 20, 1837.

Referred to the Committee on Private Land Claims, and ordered to be printed.

To the honorable the Senate and House of Representatives of the United States of America:

The memorial of the undersigned, heirs and legal representatives of the late Carlos de Vilemont,

RESPECTFULLY SHEWETH:

That your memorialists pray for the confirmation of a grant of land for two leagues front on the Mississippi by one league in depth, at Point Chicot, in the State of Arkansas, made to the late Carlos de Vilemont, on the seventeenth of June, seventeen hundred and ninety-five, by the Baron de Carondelet, then the Governor of Louisiana.

For many years your memorialists have spared no efforts to obtain a decision of their claim; but, in eighteen hundred and thirty, while their application was pending before your honorable houses, and still undisposed of, by far the greater part of the claim was sold as public land, notwithstanding their protest, and only about 4,000 acres were reserved from sale on account of it. Their rights to the portion so sold, however incontestable they might be, have thus become beset by new difficulties, which would involve them in endless strife and litigation; they, therefore, respectfully propose to abandon their claim to that part which has been sold, on receiving other public lands for it, and the confirmation of their title to so much of the land originally granted as still remains unsold.

The purchasers of these lands, and many of their neighbors, having been informed of the disposition of your memorialists to modify their claim in the above-described manner, have addressed, on their part, a memorial to your honorable houses, earnestly joining in the prayer of your memorialists, and thus evincing their sense of its justice, and the interest felt by numerous citizens in its speedy decision.

The unexpected opposition which has been made to this claim, and the misrepresentations of which it has been the object, render it necessary for your memorialists to furnish copious proofs, which will remove all doubt of its justice.

[Gales & Seaton, print.]

This claim was first laid, in 1813, before Frederick Bates, then recorder of land titles at St. Louis, whose report was unfavorable to it, on the ground that the condition of settlement had not been complied with. After this period no land office in Missouri or Arkansas was authorized to take cognizance of a claim of this extent; and the acts of 1824 and 1828, which opened the courts of justice to claimants, restricted their jurisdiction to claims not exceeding a league square. Your memorialists, therefore, resorted to the only remedy left to them, and laid their claim before Congress, but though unremitting in their exertions, they never could obtain a final action on it, and in 1830 more than two-thirds of the claim was sold by the United States. On the 9th of July, 1832, however, an act was passed creating commissioners for the final adjudication of French and Spanish land claims in Missouri, by the 5th section of which your memorialists were specially authorized to submit their claim to the board at St. Louis, "to be reported and proceeded upon in the same manner as other claims provided for in this act."

The claim was accordingly submitted, and on the 3d of December, 1834, the board unanimously reported it for confirmation. Their general report, embracing this and many other claims, was sent to the General Land Office, and afterwards referred to a committee of your honorable Senate. In the mean time, H. F. Walworth and B. L. Miles, two persons who have taken possession of a part of the land still reserved from sale, addressed to your honorable houses a memorial remonstrating against the confirmation of the claim; which was ordered to be printed on the 17th of March, 1836.

The honorable committee having reported a bill providing for the confirmation of this and other claims, it was taken up on the 25th of March last, when several honorable Senators opposed this claim on the ground of the non-performance of its conditions. It appears from the printed debates, that this being the only claim to which objections were made, it was struck from the bill and reserved for further action, in order not to impede the settlement of the other claims.

Your memorialists now presume to hope that the final decision which, by the 2d section of the act of July 9, 1832, was promised to them, will no longer be withheld.

Being thus compelled to defend their claim again before your honorable houses, your memorialists have collected and now submit testimony which, they trust, will remove every objection.

The opposition to the claim is exclusively based on the condition contained in the grant, that a road and clearing shall be made within one year, and the land established within three years—in default of which it shall be null.

Your memorialists will show—

1. That Vilemont was, from 1794 to 1802, the commandant of Arkansas, and during that period neither did nor could absent himself from the post; that he indeed endeavored to procure agents to settle the land for him, but could not succeed, because hostile Indians rendered the country in the highest degree insecure, and made any settlement on the Mississippi between the mouth of the St. Francis and of the Yazoo, impossible; that he attempted a settlement in 1803, and that from 1807 to the present moment, excepting only the years 1820 and 1821, the land ha

been constantly occupied either by Vilemont's agents or by himself and his family, who still reside on the land.

2. That the above-mentioned conditions, which were inserted in almost every order of survey for lands intended for cultivation, were, notwithstanding their positive terms, mere matter of form, and not insisted upon by the Spanish Government. It will be seen that this is a truth of which no person having the slightest acquaintance with the subject can entertain a doubt. It was acknowledged by the Government by and ever since the act of the 12th of April, 1814, and has since been acted upon by all the boards of commissioners created for the investigation of Spanish titles. Many hundreds of claims, containing that clause, have been confirmed without proof of cultivation, and a glance at the reports submitted of late years to your honorable houses will probably show that none was ever reported against on that ground.

3. Your memorialists feel, though reluctantly, under the necessity to reply to the memorial of H. F. Walworth and B. L. Miles, printed by order of the Senate on March 11, 1836. It betrays an utter ignorance of the best-established principles applicable to Spanish land claims. Thus far it could certainly not mislead your honorable houses, and would neither require nor deserve an answer. But it also contains, on other matters, within the immediate knowledge of the said memorialists, a tissue of misrepresentations, which, although unsupported by any proof, might still, from constant repetition and confident assertion, acquire an air of probability. Your memorialists are apprized that the said Walworth and Miles constantly attend in Washington city during the sessions of Congress, and omit no opportunity to press their version of this subject upon the attention of honorable members. Your memorialists cannot but believe, upon the authority of several honorable members of Congress, that this is the principal difficulty they have to contend with, and that it would be dangerous to leave those unfounded statements without contradiction. They are prepared to meet every assertion by positive proof, and they hope to make it clear that the settlement upon which the said Walworth and Miles rest their pretensions to defeat the claim, was a deliberate attempt, commenced and persevered in with a full knowledge of the rights of your memorialsts, to deprive them of their property. Your memorialists have annexed a copy of the memorial of the said Walworth and Miles, both for a fuller understanding of the controversy and because it contains documents necessary to be referred to, and affidavits, which are in glaring contradiction with its assertions, and only strengthen the cause of your memorialists.

1. The proof constantly recurs throughout the annexed evidence, that Vilemont was the civil and military commandant of Arkansas from 1794 to 1802. Soon after he obtained the grant, in 1795, he proposed to Joseph Bogy to settle the tract for him, but Bogy declined, on account of the danger to be apprehended from the Indians. This danger is represented in the same manner by Francois Vaugine. Their affidavits will be found in page 8 of Walworth and Miles's memorial.

John W. Hunt, who, in 1807, lived in Vilemont's house, at the post of Arkansas, as a workman, was repeatedly invited by him to settle on this land. His affidavit, which, as well as the other annexed documents, has been numbered for the sake of ready reference, will be found under

No. 1. He says that he refused to go there, being afraid of the Indians in that quarter. Hinton (No. 2) says that, even after 1809, the Indians were frequently at the point, and it was considered unsafe to settle there, and he believes that one Lefebvre, whom Vilemont had sent there, (Nos. 1, 2, 9, 10, 19,) could venture to do so only because he had an Indian wife.

In 1829, Mr. Isaac T. Preston, then register of the land office at New Orleans, was sent by the President of the United States to Arkansas, to investigate certain well-known fraudulent land claims. His inquiries into the former state of that country soon convinced him that the many old settlements, proved up before the district court, never had existed; that the country was uninhabited, and in great measure uninhabitable, except in the vicinity of the fort. He then had a conversation with the late Sylvanus Philips, one of the oldest and most intelligent inhabitants of Arkansas, of which he took a memorandum, still in his possession. From this he has prepared, at the request of your memorialists, a statement, (No. 4.) Speaking of Phillips, Mr. Preston says: "He informed me that he settled at the mouth of the St. Francis river about the year 1797; that there was then great danger to the settlers from the incursions of the Indians; that, for the security of all, the commandant confined the settlers as much as possible to the neighborhood of the established posts. He further informed me that, as late as the year 1799, he, himself, was ordered in by the commandant from the mouth of the St. Francis river to the post of Arkansas on account of the common danger."

Your memorialists are moreover enabled to submit authentic and contemporaneous proof of the condition of Arkansas from 1794 to 1803, which would have rendered an agricultural establishment at Point Chicot not a matter of hazard only, but of absolute impossibility. They have lately examined Vilemont's remaining papers, and found in them the letter-book of his official correspondence with the Governors of Louisiana, extending during the whole time he was commandant, from July 12, 1794, to June 27, 1802. The Spanish commandants were required to keep such a book, and to number each letter, (see Bouligny's affidavit, No. 3,) and in this book the letters are numbered from 1 to 122 without interruption. Your memorialists also submit a number of letters from the Governors of Louisiana, in answer to Vilemont's communications: five of them are from Governor Carondelet, of 1796 and 1797; two from Gayoso de Lemos, of 1796, when he was Governor of Natchez, and of 1799, when he had succeeded Carondelet. Another letter of 1803, is from Franco. Caso y Luengo, who succeeded Vilemont as commandant of Arkansas. These documents are accompanied by translations of their most material parts.

This correspondence furnishes a distinct picture of Spanish Arkansas, which may be summed up in a few words. The insignificant agricultural establishments were confined to the immediate vicinity of Fort St. Stephen, where they enjoyed the protection of the troops. With the exception of a few merchants, (fur traders,) the inhabitants were all hunters. The country was a scene of perpetual warfare between different nations of Indians, and the inhabitants are represented as being in constant terror of them. At one time the Choctaws threatened to come 500 strong to attack the Spaniards, and destroy the villages of the Arkansas,

their allies; and Vilemont wrote to the neighboring commandants for assistance. He frequently complains of the defenceless state of the fort. In his 36th letter he describes the palisades as rotten and falling before the least wind, and the three cannons and the seven swivel-guns as perfectly unserviceable, with the exception of one of the latter. Carondelet promises to increase his garrison to 40 men, to build a substantial fort, and to send him several pieces of artillery. "This [he writes on the 17th of February, 1797] will enable you to give the law to the Indians instead of receiving it from them." But it is clear, from Vilemont's correspondence, in which there is no gap, that this promised succor never arrived. Frequent instances are mentioned of hunters having been killed by the Indians, and their depredations upon the inhabitants were unceasing, and a constant source of complaints. On the 17th of February, 1800, Vilemont writes to the Governor: "The inhabitants who cultivate the land are continually exposed to ruin by these nations; they can save neither what they grow in the ground nor the provisions in their houses; the Indians steal their horses and kill their cattle and hogs." In return the Governors give promises and orders, but they produced no effect, and the Government, aware of its weakness, sought its security principally in the distribution of presents and liberalities among and treaties with some of the Indians.

On the 12th of September, 1796, Carondelet writes that, since a treaty of limits and navigation has been made with the United States, many Catholics established in them will no doubt come to Louisiana. "Thus (he says) your post will have nothing more to fear from the Indians."

It is well known that Carondelet was disappointed in this and many other expectations he had formed on the supposed disaffection of the people of the West. Unquestionably Vilemont, when he petitioned for, and Carondelet, when he granted the land, supposed and hoped that this disastrous state of the country would give way to a better order of things, without which the grant would indeed have been valueless, but while Louisiana remained under the dominion of Spain, matters grew only worse. On the 10th of November, 1803, the commandant Caso y Luengo, Vilemont's successor, writes to him from Arkansas that he is in great embarrassment from the want of means to oppose the insolence of the Indians, who became daily more intolerable; that there had been two alarms, when he was obliged to have the cannons loaded; that Pery, a Chickasaw half-breed, (mentioned in Vilemont's 117th letter,) had come to the fort painted and drunk, with his rifle, on purpose to kill him; that the Osages intercepted and robbed the hunters, &c.

This abstract, which it would have been useless to extend farther, can leave but little doubt what fate would have awaited the adventurer who would have dared to settle at Point Chicot, probably more than 100 miles distant from the nearest white settlement. Both the witnesses of your memorialists and those of their opponents state that, even after the cession, there was no settlement on the river, from the mouth of the St. Francis to the mouth of the Yazoo. A Government that experienced such difficulty in maintaining itself in a fortified post, would not have sent a grantee to certain ruin and almost certain death, under penalty of forfeiture; and least of all would this have been exacted of the commandant of Arkansas himself, whose duty it was to reside at the fort. This correspondence is a faithful record of the dreary and dangerous life Vile-

mont necessarily led, of the arduous duties he had to fulfil, and fulfilled, as appears by Carondelet's and Gayozo's letters, to the entire satisfaction of the Government.

The series of 122 letters, all dated and numbered, and continuing during eight years, shows that Vilemont never left his post during the whole time he held the office of commandant, and this is also sworn to by Bouligny. He was the only officer at the post; the precarious fate of the nascent colony was placed in his hands alone; and, assuredly, the Government would not have required or even tolerated that he should go to Point Chicot to open a farm and make roads and levees. (No. 3.) He can certainly not be assimilated to a neglectful grantee who, by abandoning the country or following other private pursuits, would prove that the grant had been unworthily or unnecessarily bestowed. The friendship and regard the Governors express for him in their letters, their satisfaction with his services, are a sufficient assurance that he could have obtained an extension of time for settling the land, but he well knew that such an application was as unusual as unnecessary, and that he had nothing to fear for his grant. After his recall from Arkansas, his services were rewarded by promotion to the rank of lieutenant colonel; and can it be supposed that, because his duties required his constant presence at the post, and demanded and obtained his undivided attention, his grant should be confiscated, the only one he ever obtained, the only substantial remuneration he received from the Goverment for thirty-three years of public services? (No. 3.)

The colonial population of Arkansas consisted, in 1785, of 196 individuals; in 1803, including persons of all ages, sexes, and colors, of 368, (2 Martin's History of Louisiana, pages 77 and 205.) It is not astonishing that such a colony, remote from succor, had great difficulty in contending against overwhelming numbers of Indians, and collected round the only defensible point in the Territory.

It is respectfully submitted that, under such circumstances, even a Government whose habitual policy would have required a strict compliance with the conditions of grants, would have relieved the grantee and excused him from their performance; and it will presently be shown that the Spanish Government always acknowledged and confirmed grants worded like Vilemont's, although the want of settlement had not been accounted for.

II. Nothing would be easier than to accumulate proof that the conditions contained in Vilemont's grant were inserted, word for word, in nearly all the orders of survey for lands granted for the purpose of cultivation; that they were mere matters of form, and not insisted on by the Government; and that such orders of survey were considered as vesting the property, even without the required settlement, and were thus treated and respected by the Government. It is believed that no old inhabitant of the province of Louisiana, who had occasion to observe the action of its Government, principally in relation to the public domain, would hesitate to state this opinion under oath. But this is a subject which has undergone the investigation of many boards of commissioners, and frequently been acted upon by Congress. It will, therefore, suffice to call the attention of your honorable houses to their own former decisions, and for this purpose your memorialists have annexed certificates by Mr.

R. J. Taylor, the register of the land office at Opelousas, and by Messrs. Isaac T. Preston and H. B. Cenas, both formerly registers of the land office at New Orleans. (Nos. 4, 5, and 6.) The statements of these gentlemen, whose great respectability and thorough acquaintance with this subject are well known to not a few members of your honorable houses and officers of the Government, make it clear that the condition to make roads and levees and to cultivate the land within three years, were very generally inserted in Spanish orders of survey; that, however, notwithstanding their positive terms, they were mere matters of form, and that the Spanish Government did not annul the grants on account of their non-performance, or require proof of a compliance with them, when application was made for a complete title; that such orders of survey were, under the Spanish Government, considered as vesting the property, and that, therefore, in a great many instances, the inhabitants contented themselves with such titles; that, such having been the usages and customs of the Spanish Government, the different boards of commissioners since the act of April 12, 1814, always recommended claims founded upon such orders of survey for confirmation, without requiring proof of the performance of the conditions, and that they have uniformly been confirmed by Congress.

The fullest proof of these assertions is to be found in numerous reports made by the land offices to Congress, and in the acts of Congress confirming them. Your memorialists shall mention but one instance more particularly. Under No. 7 will be found an extract from the report made by the register and receiver of the land office at Opelousas as early as December 30, 1815, in which this very question is discussed. It will be seen that they reported all orders of survey for confirmation, whether the condition of settlement contained in them had been complied with or not; and they give, as their principal reason, that these conditions were not insisted on by the Spanish Government. These claims have been confirmed by an act of Congress of February 5, 1825. The same course has been adopted in relation to such claims in the eastern district of Louisiana; and your memorialists affirm, with entire confidence, that, since 1815 there has not been one departure from that rule in those two districts; and not one of the exceedingly numerous claims based upon simple orders of survey, conditioned like Vilemont's, has failed to be confirmed by Congress on the ground that those conditions had not been performed.

Your memorialists refer to these Louisiana decisions because they are best known and most accessible; and it is unquestionably true that, in Louisiana, the opportunities for ascertaining the usages and customs of the Spanish Government, possessed by the boards of commissioners, were most abundant, and the number of claims of all descriptions offered for confirmation, most considerable. It is apparent, from the favorable report made by the board at St. Louis, created by the act of July 9, 1832, on the Vilemont claim, that they were governed by the same principles. Although no communication exists between the different land offices established through that part of the United States which formerly was subject to the Government of Spain, still they all centre in the General Land Office, under whose instructions they act, and which certainly maintains a uniformity of principles in their decisions. Your memorial-

ists feel, therefore, authorized to conclude that none of those land offices could have made an unfavorable report on their claim, and that the confirmation of no claim similar to theirs has been refused since the act of April 12, 1814.

The commissioners of the land offices were directed to report for confirmation such incomplete titles as, according to the usages and customs of the Spanish Government, would have been completed if Louisiana had remained under the dominion of Spain. This injunction has produced the above-mentioned numerous precedents of uniform legislation, which your memorialists feel assured will not be departed from in their case. But your memorialists place their reliance not only on precedents and on the usages and customs of the Spanish Government, but on positive law.

The first section of the act of April 12, 1814, (Land Laws, p. 651,) a leading one on the subject, minutely enumerates all the requisites which incomplete title ought to contain to be entitled to confirmation. They are all founded in the Vilemont claim. Your memorialists, fearing to extend this memorial beyond proper bounds, forbear transcribing this long section, and they beg leave to refer to it as completely justifying their assertion. But, by a proviso of this section, no claim shall be considered as confirmed by it for more than one league square, and to that extent, at least, the Vilemont claim was fully protected by the section. The restriction to a league square was founded upon the belief that the Spanish Governors were not authorized to make larger grants. Further experience has shown that this belief was erroneous, (Peters's Reports, vol. 6, p. 728, vol. 8, p. 459, vol. 9, pp. 118, 760.) Accordingly, in all the late acts of Congress referring Spanish claims to the adjudication of commissioners, this limitation has been abandoned, and many larger grants have been confirmed. It is more particularly not to be found in the act of July 9, 1832, creating the board to which this claim was referred. They have accordingly made a favorable report on claims exceeding that quantity, which have been confirmed.

It is moreover highly probable that this claim is already confirmed for a league square by the said section, which confirms all claims *embraced in the report of the recorder*, (whether the report was favorable or not,) having certain requisites, and it cannot be disputed that this claim contained them. The precise time when the claim was filed your memorialists do not know, but it was already before the recorder on October 4, 1813, for, on that day, witnesses were examined by him in support of it. See W. and M.'s memorial, p. 8.

The habit of commissioners to report before the next ensuing session of Congress, renders it probable that it was included in the report alluded to in the section of the act of April 12, 1814, though of this fact your memorialsts have no certain means of judging, because the only copy of the report on their claim in their possession is that printed on page 10 of Walworth and Miles's memorial, which is not dated. If, however, that report was made only after the act of April 12, 1814, it furnishes a striking proof of the hardship of the case of your memorialists, that, owing to the neglect of the recorder to report promptly, their rights should have remained in abeyance until now, for, since that time, and until the act of July 9, 1832, no board of commissioners or court of justice in

Missouri or Arkansas was authorized to take cognizance of a claim exceeding a league square.

If the recorder, indeed, made his report after the act of 1814, he certainly should have taken the principles of that act for his guide. His brief report is in these words: "Not confirmed; conditions not complied with." That act very clearly shows what incomplete claims were valid in the opinion of Congress; the requisites they ought to unite are fully stated, but no mention is made and no inquiries are directed into the conditions inserted in the grants, and it is not likely that it had escaped the attention of Congress that the great majority of orders of survey contained the condition of settlement. If the recorder did not think the proof of danger from the Indians sufficient, or was uninformed, as he clearly was, of the usages and customs of the Spanish Government, he ought, at least, to have been satisfied with the requisites with which Congress contented themselves. The reasoning of the Supreme Court of the United States in the case of the United States *vs.* Sibbald, (10 Peters's Reports, 322,) which was the case of an incomplete grant of 16,000 acres, finds an appropriate place in this discussion.

The court says: "The objections to the claim relied on here, were—1st. That the grant was on a condition precedent, which was not begun to be performed until the grant became forfeited by the order of the Governor, made the 29th of October, 1818, declaring all grants made in consideration of mechanical improvements to be made, to be void, if the conditions were not performed in six months. It is unnecessary to decide on the effect of this order, or whether, by the acts which authorize the courts of Missouri and Florida to decide on claims to lands therein, Congress intended to assert a right by forfeiture, for condition broken, to lands which had been once legally granted. The evidence in this and the other cases which have been decided is very full and clear that no grant has ever been annulled or revoked by the Spanish authorities for any cause, and that there is no instance of a Governor having granted land which had been before granted on condition; and it may well be doubted whether it would have been reannexed to the royal domain, had the province remained under the dominion of Spain; nor is there any provision of any law of Congress which specially requires the court to inquire into the performance of conditions on which grants were made."

In concluding this subject, your memorialists presume to state that this claim is completely sustained by other late decisions of the Supreme Court of the United States, which are too well known to need a special reference.

III. Your memorialists beg leave to reply to the memorial of Walworth and Miles—a task which the preceding parts of this memorial have probably rendered unnecessary, but which, to their regret, they cannot decline, because, at their distance from the seat of Government, they find it difficult to judge whether information on other subjects may not still be required.

To show the reasonableness and justice of their opposition to the claim, Walworth and Miles say that they and other citizens, many years ago, encouraged by the pre-emption laws of the United States, believing that the title to this land had passed to the United States, and finding it unoccupied and (as far as they had any opportunity of knowing) unclaim-

ed, made their settlements and improvements thereon, &c. They proceed to say that now an old State claim is set up to the land.

It ought to be observed that H. F. Walworth and B. L. Miles alone, and no other citizens, are interested in defeating the claim to the land which still has been reserved from sale.

The claim was already filed in 1813 for confirmation, (page 8 of Walworth and Miles's memorial,) and since has not ceased to be urged before commissioners or before Congress.

Not one of their own witnesses says that the land was considered public; but one of them, Gabriel Winter, (page 7 of Walworth and Miles's memorial,) shows that he knew the claim and the land perfectly before the cession of Louisiana. *All* the numerous witnesses produced by your memorialists testify that nothing was more notorious from the earliest times; that nobody knew it better than the said Walworth and Miles, and that those very individuals who had wrongfully taken possession of portions of the land, in common with the rest of the people of the neighborhood, believed that it would ultimately be confirmed.

They say they found the land unoccupied, and on the 6th page of their memorial they produce the affidavit of Isaac Moore, who states that his father settled there in 1811 as the agent of Don Carlos de Vilemont, and remained there until 1819, (when he died.)

Peirre Choteau, sen., states that, in 1802, he understood that de Vilemont had sent somebody on the land, (Walworth and Miles's memorial, page 9,) and in 1303 he was on the land, saw Vilemont's agent, and obtained provisions from him. This improvement was inconsiderable and not followed up. In 1807, Vilemont endeavored to induce John W. Hunt to go on the land, (No. 1,) but Hunt was afraid of the Indians; he succeeded however better with Malbrouc, Hutsell, and Lefebvre, the latter of whom set up a little store under his patronage, (Nos. 1, 2, 9, 10, and 19.) Whether they settled the land with his permission or as his agents is immaterial; they certainly had possession for Vilemont. In 1809, Vilemont was himself a considerable time at Point Chicot, (No. 16.) The Indians were then still frequently at the point, and it was considered unsafe to settle there, (Hinton, No. 2.) Vilemont probably found such a residence unsuitable for his wife and family of small children, for he returned to the post of Arkansas, and sent Moore as his agent, who remained there until his death in 1819, (No. 9, 19,) during which time Hutsell, Malbrouc, and Lefebvre moved away, (No. 19.) In 1820 and 1821, Vilemont had no representative on the land, and during this period, Hugh White and one Ferguson made those settlements which are now relied on to defeat the claim, (No. 9, 19.) In 1822 Vilemont arrived, and since then he or his family have not left the land and have had no other home, (Nos. 9, 11, 14, 19.) He found there unexpected and unwelcome neighbors; but the laws then and now in force in Arkansas gave him no action of ejectment under his unconfirmed order of survey for two square leagues, (see section 3d, of the act of the Legislature of the Missouri Territory, approved on January 23, 1816,) and he was not permitted to have his claim surveyed: his only hope, therefore, was to obtain a speedy decision of his claim, which he was then prosecuting with all the means in his power. He died in 1824, and it may well be said that since the cession of Louisiana,

the settlement of this claim was the principal business of his life. After his death, his widow and his eight mostly small children could but suffer in silence, and constantly renew their application for a hearing from Congress. Their unenviable situation may well be imagined: closed in by reckless intruders, whose language they hardly understood, and whose encroachments they had no means of resisting; and it would be adding insult to injury now to reproach them with their inability to repel these lawless invasions of their property. It will be soon made apparent that Hugh White and Ferguson never fancied that they could hold on to the land or defeat the claim, (Nos. 9, 11, 12, 19;) that was left for H. F. Walworth, their more ingenious successor, who went on the land in 1828.

Enough has probably been said to show how completely untrue Walworth and Miles's assertion is, that they found the land unoccupied, and, as far as they had any opportunity of knowing, unclaimed.

Another circumstance, showing the notoriety of the claim, will be mentioned. In 1824, the county seat of Chicot county was established at Point Chicot, and called "Vilemont," (No. 8.) Under this name it appears on all the maps made since 1824, and before 1832, when it was transferred to Columbia, principally on account of the claim, the people thinking that it must be confirmed. (Nos. 12 and 15.)

Walworth and Miles say that the grant is indefinite. It appears by the testimony of all the witnesses that they never had any doubt about its location, and Walworth and Miles never pretended to have any until they wrote the memorial. The recorder of land titles who first reported against the claim, "because its conditions had not been complied with," acknowledged that it had a special location. (See Walworth and Miles's memorial, page 10.) The grant is in its terms entirely similar to most Spanish orders of survey on water-courses, the front, the depth, and the upper line are given, and nothing is better known and better established by a thousand precedents than the manner in which the front and side lines of such claims are to be run. Spanish orders of survey never did indicate the bearing of the lines; they frequently mentioned the neighboring settlements, but there were none in this case.

"This claim," Walworth and Miles further say, "has now been set up by certain speculators or purchasers of the said pretended title, to defeat the just rights of the memorialists and the public."

It thus appears that they wish to insinuate (and your memorialists are informed that this is not the first attempt of the kind) that the Vilemonts have no longer any interest in the claim. It is, however, shown by the power of attorney given by them on the 29th of July, 1835, to the person who will sign this memorial in their name, (No. 20,) that they still own a large portion of it; and they, indeed, prosecute it with the earnestness of persons who have their all at stake. From the recitals in the said instrument, it also appears that De Vilemont sold already, in 1811, one-half of it to your memorialist, Charles Tessier, who, in 1815, transferred one-half of his purchase to the late John Mercier. Mercier's heirs, as well as the said Tessier himself, offered to sell their shares, and found a purchaser in Mr. R. J. Walker, of Mississippi; as, however, the sale is conditional, they are still interested in the success of the claim. This sale was made in 1833; but the purchaser, now an honorable Senator of the United States, wishing to avoid whatever could interfere

with his legislative duties, has since conveyed all his interest to the person already previously employed by all the parties connected with the claim as their counsel and agent, and has no longer the most remote interest in its result.

Your memorialists are at a loss to conceive, and do not deem it respectful to discuss, how the circumstance that Vilemont sold a part of his claim can affect its justice or success. Your memorialists believe that they can make no more appropriate reply to this officious and unwarranted interference in the contracts existing between them, than by bringing to light the origin of Walworth and Miles's settlements of their speculation, and by showing that they were commenced and persevered in in bad faith, and with a deliberate design of depriving your memorialists of their property.

Miles first arrived at Point Chicot about 1816 or 1817, (No. 9.) He found there Royal Bills, who was perfectly aware of the claim; and Amos Moore, Malbrouc, Lefebvre, and Hutsell, who were there with Vilemont's permission, or as his agents. Elijah Bunch, at first desirous to purchase Royal Bills's improvement, finally declined on account of the Vilemont claim; Miles, however, though also afraid of the claim, bought Bills's improvement, most probably for a trifle. He was then engaged in rafting, (No. 9,) and land could not have been of much consequence to him. In 1826 or 1827, he bought his first negroes; since then he has always made good crops, and, by an industry which would be extremely laudable if it had not been exercised at the expense of the lawful owners of the land, has grown rich, (Nos. 9, 11, 19.) In 1830 all the surrounding land was sold, and this reserved for the claim, but he neglected this additional warning, and went on improving. In 1832 an act of Congress referred the claim to commissioners at St. Louis; Miles went there to defeat it, but still proceeded with his improvements. It is useless to pretend that, under such circumstances, his improvements can give him any right which he had not before: what he did, his tortuous possession prevented your memorialists from doing, and the land which he has cleared has yielded him an abundant return for his pains.

These remarks apply but with still greater truth to H. F. Walworth. He arrived at Point Chicot and bought White's improvement, who sold only because he was of opinion that the claim would be confirmed. This is stated by White's son, (No. 12,) and corroborated by other witnesses, (Nos. 11, 19.) But, better than any testimonial proof, is the deed of sale itself. (No. 13.) White warrants "except as against the United States *and the Spanish claim of Don Carlos de Vilemont.*" This deed recites that White obtained the east part of the improvement from Joe Hutsell. This Joe Hutsell settled on the land with Vilemont's permission, (Nos. 1, 2, 9, 10, 19;) and if he had afterwards attempted to sell it, it would have been clear fraud. But such a sale is nowhere to be found, nor have your memorialists ever heard of its existence. White took probably possession of the improvement when Hutsell went away, not fancying that he had left any property behind.

White further states that he bought the west part of the improvement from Joseph Bogy; and there is indeed a sale from Bogy to White on record, of two acres front by eighty in depth, of September 16, 1826, (No. 14,) in which Bogy says that he had obtained the land from Vile-

mont, and it is described as being bounded by the land belonging to the estate of C. de Vilemont. Your memorialists know of no gift or sale from Vilemont to Bogy; but, if there was, then Walworth's only title to any part of the land would be under the Vilemont claim.

Another portion of land, also, in Walworth's possession, was first settled by Malbrouc and Lefebvre, with Vilemont's permission, (Nos. 1, 2, 9, 10, 19.) They went away, and your memorialists have not even heard it pretended that they had sold to any body, (No. 9.) After Moore the agent's death, in 1819, and before Vilemont's arrival in 1822, one Ferguson went on this tract without any unnecessary formalities, (No. 9.) During his temporary absence, Andrew Latting had this improvement seized as Ferguson's property, and bought it in for much less than $100, (Nos. 9, 19.) After Latting's death in 1832, his administrator sold it to Jones and Mitchell & Co., who resisted payment on the ground of want of title. The suit brought to enforce it is still pending; but, in 1835, A. H. Davis, the liquidating partner of the firm of Mitchell & Co., put Walworth in his place, who refunded to him $150 Davis had paid for counsel fees, &c.; and this is all Walworth ever paid for it. The suit continues pending, and thus Walworth declines paying on account of want of title in his vendors, and at the same time opposes their pretended title to your memorialists, (Nos. 15, 19.)

It further appears by recorded documents, and by the affidavit of Henry Baker himself, (Nos. 16, 17, 18,) that he was employed in 1832, by John C. Jones, to make an improvement for him, within what they both knew to be the unsold portion of the Vilemont grant. He did so, and after he had delivered it to Jones's heirs, he sold the improvement to Walworth, the latter undertaking to prove it up and pay him well for it. It ought to be observed that this man, thus used as a tool, is the only witness who contradicts the evidence of your memorialists, (see W. and M.'s memorial, page 5.)

Still another improvement, made by Samuel Parker, was bought by Walworth only in July, 1836, without warranty and without any recourse upon Parker, who well knew that he was on the Vilemont land, (Nos. 9, 15.)

Walworth has not thought proper to place any of these sales on record, but your memorialists have established them by incontestable depositions.

At that cheap rate Walworth has gathered the fragments of settlements scattered on Point Chicot into a fine plantation. When every settler abandoned it as a hopeless task to contest the claim, and while your honorable houses were providing for its settlement, Walworth went on buying, which would show great confidence in his pretensions, if one year's delay and one crop did not much more than cover all his outlays.

The small place which the Vilemonts occupy is separated on one side from that which Walworth bought from White by a lane only, and on the lower side also by a lane only from the place Walworth acquired from Latting's estate, (No. 9, &c.) Walworth's house is not 300 yards from that of the Vilemonts; and, in a memorial solemnly addressed to the Legislature of the nation, he says that "he found the land unoccupied, and, as far as he had any opportunity of knowing, unclaimed."

These facts are submitted without comment. Your honorable houses

will decide whether such speculations on the delays which frequently attend the decision of Spanish claims by Congress deserve their support. Assuredly it requires Walworth's constant presence in Washington city to prop up such a case.

IV. In the fall of 1830, by far the greatest part of the claim was offered for sale as public land, and all this portion has long since been purchased on account of the superior quality of the land. Only that part of Point Chicot which lies east of 5th principal meridian line, including upwards of 4,000 acres, has been reserved from sale, as appears from the sketch, (No. 21,) certified by the register of the land office.

This sale was clearly illegal, for the claim was already filed in October, 1813, if not earlier, (see W. and M.'s memorial, page 8,) and had never been acted upon by Congress; and by the 10th section of the act of March 3, 1811, (Land Laws, 591,) which relates principally to the sale of public lands, it is provided that "till after the *decision of Congress thereon*, no tract of land shall be offered for sale, the claim to which has been in due time, and according to law, presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in that Territory." This disposition of the law has ever since been and is still in force. Your memorialists beg leave to refer to a late instance, when it was acted upon in relation to General Hampton's Houma claim, as appears from the certified copy (No. 22) of the letter of the Commissioner of the General Land Office, dated 17th of June, 1836, and addressed to the register of the land office at New Orleans.

Moreover, on the 28th of January, 1826, William Russell, of St. Louis, acting as the agent of the claimants, filed with the register at Little Rock a certificate of the recorder of land titles, showing that this claim had been regularly recorded and filed, for which he took the register's receipt.

Again, when the sale was advertised, William Russell filed in the same land office a *caveat*, dated the 26th of August, 1830. In this the register was reminded of the certificate that had been filed in 1826, and of his receipt for it; it was stated that, by the act of March 3, 1811, the sale was unauthorized; that, by the very terms of the President's proclamation, those lands in the advertised townships were to be excepted from sale which were "reserved by law for the use of schools and for other purposes," and the boundaries of the claim, and every section and fractional section included between them were minutely described.

The affidavits necessary to establish the measures taken by William Russell, and the register's receipt, have not yet been received by your memorialists, but they will probably reach Washington city in due time.

But this caveat, though it deprives the register of all excuse, was supererogatory, for the act of March 3, 1811, sufficiently indicated his line of conduct. That the general notoriety of this claim did not fail to reach him; that he was fully aware of it; is shown by the very fact that he reserved more than 4,000 acres from sale on account of it. But, while thus acknowledging that it was his duty not to sell the land embraced in the claim, he set aside only 4,000 acres for a claim of two leagues front by one in depth, which could not possibly include less than two superficial square leagues, and he assumed the meridian line as its

boundary, for which choice there is accordingly no other reason, except possibly the singular and revolting one of its convenience. This conduct of the register can only be qualified as most arbitrary and oppressive. While your memorialists were struggling with all the means the law gave them to obtain a decision, they were condemned unheard by an authorized officer, and their property was torn from them.

But the lands which have been so sold have greatly increased in value, have in many instances changed hands, have been improved, and are now in the possession of many individuals. If your memorialists were to claim them, it would bring ruin upon many innocent purchasers; they would have to pay for improvements at a high valuation, and would be involved in numerous and harassing law suits with their neighbors, with whom they wish to live in peace. The original purchasers (and Walworth and Miles as among them to a considerable extent) had at least the authority of an officer of the Government for believing the land public property; most of them did probably not presume that he was either ignorant of or exceeded his duty. Your memorialists therefore respectfully propose to abandon their claim to the land which has been sold, on receiving permission to locate an equal number of acres in quarter sections on other public lands, which have not yet been offered for sale. This heavy sacrifice has become desirable for the peace of many individuals, but it is the result of an error of the officer of the Government. If, therefore, your memorialists are to be the sufferers by this error, your honorable houses will probably consider it just to grant them the requested compensation. The proposed mode is the only one in which they can obtain a real though very inadequate indemnity, for it is well known that the lands they abandon are of the very first quality, and that with the most unlimited right of choice, they cannot find in Arkansas public lands of half their value.

If it be considered that this grant was the only reward Vilemont ever obtained from his Government for long, faithful, and important public services; that the situation of the country rendered its settlement impossible, and that, if it had been possible, Vilemont's public duties forbade it; that the Spanish Government would unquestionably and unhesitatingly have acknowledged and perfected the title; that the condition of settlement in orders of survey was truly mere matters of form and never insisted upon by that Government; that this claim is of the description of those which, under the first section of the act of April 12, 1814, have always been confirmed; that since that act all boards of commissioners have recommended such claims for confirmation, and that they have uniformly been confirmed; that no claim similar to this, which is in the most common form, has ever been rejected; that your memorialists have at the earliest possible moment taken possession of the land and have retained it to this moment, and that for nearly a quarter of a century they have been unceasing applicants for that measure of justice which has been awarded to thousands of their fellow-citizens; they confidently hope that your honorable houses will not refuse their respectful prayer.

S. NEELY.
J. J. MERCIER.
LOUIS CAIRE.

Pr. pro. CATHERINE DE VILEMONT.
URSIN DE VILEMONT.
PEDRO DE VILEMONT.
CARLOS DE VILEMONT.

LOUIS DE VILEMONT.
ZOE DE VILEMONT.
JAMES BLAINE.
CHARLES TESSIER.
G. W. FEREBEE.
LS. JANIN.

No. 1.

STATE OF ARKANSAS, *county of Phillips:*

I, John W. Hunt, of said county, do hereby certify on oath that I came to the now State of Arkansas in the year of our Lord one thousand eight hundred and one, and have resided here ever since; that I first became acquainted with the late Spanish commandant of the post of Arkansas, Don Carrol de Vilemont, at the post of Arkansas, in the year one thousand eight hundred and seven, and then heard him and others speak of his grant at Point Chicot. It was already a fact notorious in the county that he possessed such a grant of land, and he more than once tried to get me to go there and live on it; but having a young family, and being afraid of the Indians in that quarter, I declined going there; but he did about the same time get two Frenchmen to go there to live, one of whose names was Mabrow or Molbrough—the name of the other not recollected; that this affiant lived about the house of the said commandant as a workman; and although the time since has been long, cannot be mistaken in any of the foregoing particulars.

JOHN W. HUNT, his x mark.

Sworn to and subscribed before me, a justice of the peace, this 16th September, 1836.

JOHN R. SANFORD.

PHILLIPS COUNTY, *A. T.*

No. 2.

STATE OF ARKANSAS, *county of Chicot:*

This day personally appeared before me, the undersigned, justice of the peace in and for said county, Jeremiah P. Hinton, of Bullitt county, State of Kentucky, who, being duly sworn according to law, deposeth and saith that he has been in the habit of navigating the Ohio and Mississippi rivers since the year A. D. 1809; that, in the year 1809, he descended the Mississippi river with a flatboat, and landed at what is now commonly called Point Chicot; that, whilst lying to there with his boat, he was frequently on shore, and that he distinctly recollects that there was a small improvement situated on said Point Chicot, consisting of a small field and log cabin, occupied by a Frenchman named Le Fevre; that he had vegetables, poultry, cows, and calves, around the premises; that in the year 1811 or 1812, or at or near those periods, he again landed at Point Chicot, and remained there a short time; that he then found living there, and became acquainted with, a certain Joseph Hutsell, who had an improvement on the lower part of the point situated on the tract at present occu-

pied by Horace F. Walworth; that said improvement consisted of a log cabin, and two or three acres of land opened and in cultivation; that said Hutsell was residing there, he believes, with the permission of some French commandant, whose name he does not know; that, in 1809, and for some years thereafter, the Indians were in numbers frequently on the points and the surrounding tracts of land, and at that early period it was considered unsafe settling there; that the Frenchman above named, Le Fevre, resided there with impunity, he thinks, from the circumstance of his having an Indian wife; and further this deponent saith not.

J. P. HINTON.

Sworn to and subscribed before me, this 21st day of October, 1836.

WILLIAM TAYLOR, *J. P.*

STATE OF ARKANSAS, *county of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder within and for the county aforesaid, do hereby certify that the within-named William Taylor, whose name is subscribed to the within and foregoing deposition as the magistrate before whom the same was made, is, and was at the time of taking the same, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit are due, and ought of right to be given to all his official acts as such.

In testimony whereof, I have hereunto set my hand and affixed the seal of office, at Columbia, this 21st day of October, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 3.

STATE OF LOUISIANA, *parish of Orleans:*

Louis Bouligny being duly sworn, deposeth that he is a native of the city of New Orleans and 56 years of age. Deponent was well acquainted with the late Carlos de Vilemont, who was his uncle, and with whom deponent's father was very intimate and in constant correspondence. Deponent has frequently understood, before and after the cession of Louisiana, that Vilemont had a grant to Point Chicot, in Arkansas, of which he conveyed one undivided half to Judge Tessier in 1811, by a writing which deponent has now before his eyes. This circumstance was repeatedly mentioned to deponent by Vilemont himself. The paper annexed to this affidavit is Vilemont's certificate of service brought down to 1796. In the Spanish military service such certificates were usually delivered to officers. That paper is signed by Juan Gautier, the major of the regiment, and by Franco. Bouligny, deponent's father, who was the colonel of the regiment of Louisiana. Deponent was himself an officer in that regiment. It appears by the said certificate that Vilemont was considered a good officer, that he had entered the service in 1770, and had made several campaigns. From 1794 to 1802 Vilemont was commandant of Arkansas, and during that time never visited New Orleans; if he had

done so, deponent would have known it, on account of the intimacy that existed between their families. Deponent believes that Vilemont's even temporary absence from the post would not have been permitted, as he had no other officer under his command. Deponent is well acquainted with the rules of the Spanish service in Louisiana, and feels authorized to say that Vilemont would not have been permitted to reside or stay away from the fort. The Spanish Governors frequently rewarded public services by grants of land, and officers of rank generally obtained more valuable or more numerous grants than others. Deponent never understood and does not believe that Vilemont had any other grant but that for Point Chicot. After his recall from Arkansas, Vilemont was promoted to the rank of lieutenant colonel.

Deponent having been shown a copy of Vilemont's concession, says that nothing was more common in orders of survey than the condition of cultivation within three years; this was a clause which the Governor's secretary inserted nearly in every order of survey, without previous inquiry into the situation of the land; it was considered as mere matter of form; and deponent, notwithstanding his very extensive acquaintance with the old population of Louisiana, never has heard of an instance that a grant had been confiscated because those conditions had not been complied with. The complete title, called "*titulo in forma*," could not be obtained without a previous survey, and in remote districts it was extremely difficult to procure the attendance of a surveyor. Indeed the "complete title" was very generally considered unnecessary; nobody made any difficulty in buying lands for which the vendor had only an order of survey.

L. BOULIGNY.

Sworn to and subscribed before me, New Orleans, December 27, 1836.

EDWARD RAWLE,
Judge of the city court.

El Capn. Dn. Carlos de Vilemont, su edad 35 años, su país Francia, su calidad noble su salud novusta su servicios, y circunstancias los que expresa.

Tiempo en que empezò à servir los empleos.				Tiempo que ha que sirve y quanto en cada empleo.			
Empleos.	Dias.	Meses.	Años.	Empleos.	Años.	Meses.	Dias.
Cadet -	1	Nov.	1770	De Cadete -	9	-	13
Subteniente	14	Nov.	1779	De Subteniente	1	3	17
Capitan -	1	Mar.	1781	De Capitan -	15	10	
				Total hasta fin de Dizre. de 1796 -	26	2	

REGIMIENTOS DON DE HA SERVIDO.

En este 26 años y 2 meses.

CAMPARAS, Y ACCIONES DE GUERRA EN QUE SE HALLADO.

En la sorpresa del Fuerte but, sitio y toma del de Baton Rouge, el año de 1779, y en el sitio y toma dela Movila el de 1780.

JUAN GAUTIER.

INFORME DEL INSPECTOR NOTAS.

Valor, conocido.
Aplication, buena.
Capacidad, buena.
Conducta, buena.
Estado, sosten.

BOULIGNY.

No. 4.

STATE OF LOUISIANA, *city of New Orleans:*

I do hereby certify that, being register of the land office at New Orleans in the year 1829, in that year, in the fall, I visited Arkansas, by direction of the President of the United States, to make investigation of some pretended land claims in that Territory which had been confirmed by the superior court, and have since been set aside under the act of Congress of May 8, 1830. In making inquiries about the early settlement of that part of Louisiana, I had a conversation with Colonel Sylvanus Phillips, since dead, one of the oldest and most intelligent inhabitants of that section of country. He informed me that he settled at the mouth of the St. Francis river about the year 1797; that there was then great danger to the settlers from incursions of the Indians; that, for the security of all, the commandant confined the settlers as much as possible to the neighborhood of the established posts. He further informed me that, as late as the year 1799, he himself was ordered in, by the commandant, from the mouth of the St. Francis river to the post of Arkansas on account of the common danger. I make these statements from a memorandum I made at the time, and which I now have before me.

I further certify that, in examining the books of the land office, I have seen a great many confirmations of titles by the different commissioners, founded upon orders of survey, without proof of settlement and improvement, although the condition of settlement in the order was peremptory. Such has been the uniform practice of the commissioners of the land offices with which I am acquainted, since the act of the 12th of April, 1814, and I know from my professional practice that these decisions are in conformity with the usages and the customs of the Spanish Government, under which lands, for which no other title had ever been given but orders of survey, were considered as private property, and were treated as such in the settlement of estates, &c. The condition of settlement and of making a road or levee, was very generally, perhaps universally, inserted in all orders of survey for lands which

were not merely granted for stock-farms, but it was not insisted upon by the Government. No instance has ever come to my knowledge that the Government required proof of the conditions in an order of survey where application was made for the complete title, called "titulo in forma," and indeed the belief of the inhabitants, sustained by the practice of the Government, that an order of survey vested the property as fully as a complete title, was so general, that they neglected, in a very great number of cases, to perfect their titles.

ISAAC T. PRESTON.

No. 5.

LAND OFFICE AT OPELOUSAS,
STATE OF LOUISIANA, *November* 8, 1836.

This is to certify that, since my appointment to the office of register, I have had occasion to examine many of the Spanish claims heretofore offered for confirmation or report to this office, and the principles by which the commissioners have heretofore been governed in their decision; that many claims have been presented, founded on orders of survey, containing the condition that a road and levee should be made in front of the land, and the land should be cultivated within three years, in default whereof the concession should be null, and that notwithstanding these conditions, claims of this description have uniformly been confirmed, or recommended for confirmation, although the land had not been cultivated and inhabited, and no road or levee been made before the cession of Louisiana, the inquiries instituted by my predecessors having led them to the conclusion that the compliance with these conditions was not insisted upon by the Spanish Government; that they were matters of form; and that, notwithstanding their non-performance, the Spanish Government would not have refused to perfect the title.

JOHN J. TAYLOR, *Register*.

No. 6.

NEW ORLEANS, *December* 12, 1836.

I, the undersigned, late register of the land office at New Orleans, do hereby certify that, while discharging the duties of said office, I have frequently seen claims confirmed by the United States, predicated almost entirely upon orders of survey issued by the Spanish Government, and without any proof having been furnished by the claimants of compliance, on the part of the original grantees with the conditions generally inserted in said orders of survey, such as, that a road and levee should be made in front of the land, and that the land should be cultivated within three years, &c. And I further certify that, from many circumstances that have come to my knowledge, I am inclined to think that the conditions above referred to were principally matters of form, and that a failure on the part of the grantee, or party interested, to conform in every respect thereto, would not necessarily have resulted in a forfeiture of the land.

H. B. CENAS.

No. 7.

EXTRACTS.

To the honorable Josiah Meigs, Commissioner of the General Land Office in the Treasury Department of the United States:

The register of the land office and receiver of public moneys of the western district of the late Territory of Orleans, now State of Louisiana, have the honor to report their decisions and opinions for the revision of Congress, on the following claims to land in the said district, which were filed with the register pursuant to the acts of Congress entitled "An act granting further time for registering claims to land in the western district of the Territory of Orleans," passed the 10th March, 1812, and the act entitled "An act giving further time for registering claims to lands in the eastern and western districts of the Territory of Orleans, now State of Louisiana," passed the 27th February, 1813, classing and arranging the same as follows, viz:

Class No. 1 will comprise claims for lands held under complete patents of unquestionable authenticity, which having been filed with the register previous to the dissolution of the board of commissioners appointed for the purpose of ascertaining and adjusting titles and claims to lands in the said district, and found on record, have been transferred to the said board for confirmation; pursuant to the 5th section of an act of Congress entitled "An act for ascertaining and adjusting titles and claims to lands," &c., passed the 2d March, 1805. (See note A, at the end of the report.)

Class No. 2 will comprise claims founded on authentic orders of survey conceded by the Spanish Government of Louisiana; which, with or without proof of occupancy, ought, in the opinion of the said register and receiver, to be confirmed. (See note B, at the end of the report.)

Class No. 3 will comprise claims founded on requettes approved and sanctioned by the competent Spanish authorities, or for lands which may have been surveyed by an authorized Spanish surveyor previous to the change of Government; and which, whether accompanied or not by proof of occupancy, ought, in the opinion of the said register and receiver, to be confirmed. (See note C, at the end of the report.)

Class No. 4 will comprise claims unsupported by a requette or concession under the former Government of Louisiana, but which, from regular transfers of title bearing date anterior to the change of Government before the authority competent to judge, and whose duty it was to decide on the validity of the title of the seller, whether supported or not by evidence of occupancy, ought, in the opinion of the said register and receiver, to be confirmed. (See note D, at the end of the report.)

Note B.—The register and receiver are of opinion that, in justice and equity, all claims founded on orders of survey ought to be confirmed, and especially those in the western district. The conditions on the performance of which the completion of the title depended being inapplicable to the local circumstances and situation of the country, it is believed were never insisted upon. Indeed, in clearing the fronts of their lands to a certain depth, the proprietors must, in most instances, have deprived themselves even of fuel. Cutting roads were necessary

in very few instances, and making levees in scarcely any. Even claims founded on orders of survey without special locations, conceded, for example, for any vacant land in the post of Opelousas, are considered as valid. It is known that such concessions were sometimes made for the remuneration of persons from whom lands had been taken by the Spanish Government for garrisons or other public uses. The property so taken from the claimant or his ancestors has, by the cession of Louisiana, become vested in the United States. Would it then be just to withhold the indemnity for which the former Government had become pledged?

LAND OFFICE AT OPELOUSAS, LOUISIANA,
November 8, 1836.

The foregoing extract, as well as the note B referred to in said extract, are true copies of the explanatory letter and a note which accompanied the reports of the register and receiver at Opelousas, made 30th December, 1815. It is further certified that the claims classed in the 1st, 2d, 3d, and 4th classes in the aforesaid reports, have been confirmed by an act of Congress entitled "An act confirming certain claims to lands in the wertern district of Louisiana," approved 5th February, 1825.

JOHN J. TAYLOR, *Register.*

No. 8.

UNITED STATES OF AMERICA,
TERRITORY OF ARKANSAS,
County of Chicot.

In Circuit Court of said county of Chicot, January term, 1824.

The following report was made by the commissioners appointed by law to select and locate the seat of justice of the county aforesaid.

Thomas James, John Weir, Abner Johnson, and Enoch Bogy, commissioners appointed by law to select and locate the seat of justice in the county of Chicot, in the Territory of Arkansas, report that they have selected and located the same eastwardly from the dwelling-house of Andrew Latting, near the bank of the Mississippi, near a pecon tree; commencing one hundred and eighty feet from the bank of the river, at a stake; thence, running at right angles as the town may be laid out, one hundred and sixty feet; thence eastwardly one hundred and sixty feet; thence north one hundred and sixty feet; thence westward to the place of beginning; containing one hundred and sixty feet square; which spot of ground we establish as the county seat for the county of Chicot: which county seat to be called the town of Vilemont.

STATE OF ARKANSAS, *County of Chicot:*

I, James Blaine, clerk of the circuit court and ex officio recorder in and for the county aforesaid, do hereby certify that the foregoing is a true, perfect, and correct transcript of the proceedings had in the circuit court of said county in chancery sitting, taken from the records of my office.

In testimony whereof, I have hereunto set my hand, and affixed the seal

of my office, at Columbia, this twelfth day of October, in the year of our Lord eighteen hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 9.

CHICOT COUNTY, *State of Arkansas:*

David Clary, being duly sworn, deposes that he arrived in this county in October, 1814, and has ever since been living in it. He first staid at Point Chicot. The only settlers on the point then were a Frenchman by the name of Lefebvre, another Frenchman by the name of Malbrouc, also known by the name of John Baptiste Daigle, Joe Hudsell, Amos Moore, and Royal Bills. Deponent became acquainted with all of them. The Spanish claim of Carlos de Vilemont to Point Chicot was known to every body that lived in the neighborhood. It was known also that Malbrouc, Lefebvre, and Joe Hudsell were on the land with Vilemont's permission, and deponent heard them say so himself. Deponent had heard this claim frequently spoken of previous to his coming to this county, and when he lived near the post of Arkansas, and at the mouth of the Arkansas river. He also knew Vilemont previous to that time. Vilemont then resided at the post of Arkansas. Deponent's father and uncle then frequently spoke of this claim. Several years before deponent came to the county, Amos Moore, who had, until then, been living on the Arkansas, stopped at the house of deponent's father, and stated that he was on his way to Point Chicot, and that he went there as the agent of Don Carlos de Vilemont. Amos Moore lived at the point until 1819, when he died. Some time after his death, Ignace Bogy, de Vilemont's brother-in-law, and de Vilemont himself, with his family, moved to the point, and the family has ever since been living on the point. Malbrouc and Lefebvre left the point several years after deponent's arrival in the county. Their improvements were just above the place now occupied by the Vilemont family. After them a man by the name of Ferguson took possession of this place, but deponent does not know in what manner, and has never heard that he had bought from Malbrouc or Lefebvre. During Ferguson's temporary absence, after Moore's death, and previous to de Vilemont's arrival, Andrew Latting, who then lived at Matthew's bend, had Ferguson's improvement seized for a small debt, and bought it in at constable's sale. He then moved on it himself, and remained there until his death in 1828. This improvement is now in the possession of H. F. Walworth. Andrew Latting bought this improvement for a trifling sum, much less than one hundred dollars, though deponent does not recollect the precise amount.

When deponent arrived in the county in 1814, there was no settlement just below the land now occupied by the Vilemonts, and where H. F. Walworth's plantation now is. Hugh White, from whom Walworth afterwards bought, went on the land about 1818, and made a clearing below the present farm of the Vilemonts.

A man by the name of Royal Bills made the first settlement on the place now occupied by Benjamin L. Miles. Royal Bills had just arrived there and commenced his settlement, when deponent also arrived in this county, in October 1814. Deponent staid that fall and winter with Royal Bills.

De Vilemont's claim was perfectly known to all the persons deponent has been naming. Elijah Bunch was desirous to settle on the point and to purchase Royal Bills's improvement; the contract was even already prepared, but Bunch concluded not to buy, on account of the Vilemont claim, which he thought must be confirmed. Some years afterwards, perhaps in 1816 or 1817, Benjamin L. Miles purchased Royal Bills's little improvement, taking the risk of the claim, of which he was perfectly aware. In these early times, already, deponent heard Miles and White speak of the Vilemont claim. Miles was always afraid of it, and Hugh White, when he sold in 1828 to Walworth, and moved a short distance up the river, just above Columbia, said repeatedly that he had sold because he thought the Vilemont claim would be confirmed.

When Miles came to the country, he was rafting for some time. In 1827 he was still rather poor; he then had only two slaves, which he had bought a year or a little more previous. Since that he has always made excellent crops off this land, has constantly increased his force, and is now a very rich man.

When White sold to Walworth, he had about 30 or 40 acres open.

About 1816 or 1817 another small settlement was commenced on the lower side of the point by Samuel Parker and McGary, which is now also in the possession of Walworth since last June. They always knew of the Vilemont claim, and were afraid of it.

When Walworth first arrived at the point he had about 8 or 10 slaves. Since then he has been making fine crops, and constantly increasing his force, which is now very large.

When, in 1830, the lands in the neighborhood of Point Chicot were offered for sale, deponent understood that the point itself was reserved from sale on account of the claim.

Joseph Hutsell's improvement was at some distance below Amos Moore's. Hutsell moved into Louisiana before Vilemont's arrival at the point.

DAVID CLARY, his + mark.

Sworn to and subscribed before me this 19th day of September, A. D. 1836.

HIRAM MONELL, *J. P.*
for Oden township, county of Chicot, State of Arkansas.

No. 10.

ARKANSAS, *Phillips county, sct.:*

I, William B. R. Horner, state upon oath that I came to the mouth of St. Francis river on the 10th day of January, 1811, and have resided in that neighborhood ever since. Since about the time of my first arrival, the claim of Carlos de Vilemont to a tract of land embracing Point Chicot

has been a matter of public notoriety. In 1812 I was at Point Chicot; there were then several families living there, among the rest, Mr. Moore, Mr. Lafavre, and Mr. Hutsil, all of whom then, by their own statements, lived there under the sufferance of de Vilemont. In 1815 I was again there and learned the same facts. In 1819 I was again there, and every person there living knew of and understood that he, de Vilemont, had a claim to that land. The facts of his (de Vilemont's) claim have been public and notorious in this and Chicot since my earliest knowledge of the country; is certain Lafavre was sent to that point by de Vilemont as a trader or small merchant, and resided there under the patronage of him, de Vilemont.

WM. B. R. HORNER.

Sworn to and subscribed before me at Helena, Phillips county, State of Arkansas, this 13th day of September, 1836.

JOHN R. SANFORD,
Justice of the peace, Phillips county, A. T.

No. 11.

CHICOT COUNTY, *State of Arkansas:*

James Russell being duly sworn, deposes that he arrived in this county on the 2d of January, 1824, and has been residing in it ever since. From the time of his arrival until 1828, he lived on Point Chicot, on Andrew Latting's improvement, and kept store there. The widow and heirs of the late Carlos de Vilemont then already resided at the point, at the same place where they now live. Deponent's house was about 300 yards from the house of the de Vilemonts and above it. Below the farm of the de Vilemonts, and separated from it only by a lane, was Hugh White's improvement. Both these improvements are now in the possession of H. F. Walworth. At the time of deponent's arrival already every body in the neighborhood knew the claim of the de Vilemonts. Deponent has conversed concerning it with Andrew Latting and Hugh White, and they both were of opinion that the claim would ultimately be confirmed. Hugh White told deponent, when he (White) sold his improvement to H. F. Walworth, that he had sold with full warranty, except against the United States and against the claim of the Vilemonts. H. F. Walworth arrived at Point Chicot about the latter part of 1828. When White sold to Walworth, his improvement might have included about 50 acres. When deponent arrived at the point, Andrew Latting's improvement may have been between 30 and 50 acres. At that time Benjamin L. Miles was already on the place which he now occupies. Then he was poor and had no slaves. Deponent believes he bought the first slaves he ever owned about 1827, at the mouth of the Arkansas. Miles is now considered a rich man, and has got a good many slaves; and deponent believes he grew rich by the crops he made on this land.

JAS. RUSSELL.

Sworn to and subscribed before me, this 19th day of September, A. D. 1836.

HIRAM MONELL, *J. P.*
for Oden township, county of Chicot, State of Arkansas.

STATE OF ARKANSAS, *County of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder within and for the county aforesaid, do hereby certify that the within-named Hiram Monell, whose name is subscribed to the within and foregoing deposition, as the magistrate before whom the same was made, is and was at the time of taking the same, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit are due and ought of right to be given to all his official acts as such.

In testimony whereof, I have hereunto set my hand and affixed the seal of office, at Columbia, this 19th day of September, in the [SEAL.] year of our Lord one thousand eight hundred and thirty-six and of the Independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 12.

CHICOT COUNTY, *State of Arkansas:*

John White being duly sworn, deposes that he is the son of Hugh White, who sold an improvement on Point Chicot to H. F. Walworth, in the year 1828. Deponent was then living with his said father, who frequently mentioned the Spanish claim of Don Carlos de Vilemont to him, and expressed a belief that it would be confirmed. Such was, indeed, the general opinion of the inhabitants of the county. There is no man that then lived in the country but was informed of this claim. Deponent's father was induced to sell his improvement, because he was afraid of this claim, and on that account he also sold expressly without any warranty against this claim. H. F. Walworth was fully aware of this claim when he bought; he was informed of it by deponent's father.

In 1832, the county seat of Chicot county, which, until then, had been at Point Chicot, on a small tract of land given to the county by Andrew Latting, was removed to Columbia, on account of the Vilemont claim, by which Andrew Latting's land was covered.

JOHN WHITE.

Sworn to and subscribed before me, this 19th day of September, A. D. 1836.

HIRAM MONELL, *J. P.*
for Oden township, county of Chicot, State of Arkansas.

No. 13.

Hugh White to Horace F. Walworth.

UNITED STATES OF AMERICA, } *Conveyance.*
Territory of Arkansas, County of Chicot. }

For and in consideration of the sum of sixteen hundred dollars, to me in hand paid by Horace F. Walworth, the receipt whereof I do hereby acknowledge that I, Hugh White, have this day bargained, sold, and delivered, unto the said Walworth, all my right, title, interest, claim, or demand, to a certain improvement or pre-emption right, lying and being in Vilemont, (or Point Chicot,) and county aforesaid, and bounded as

follows, to wit: by the Mississippi river on the north and front, by the improvement belonging to the estate of Don Carlos de Vilemont, on the west, and by the United States land on the south and east. The west part of said improvement said White purchased of Ignace Bogy, adjoining the said Vilemont's improvement; the east part of said improvements the said White obtained by conveyance from Joseph Hutsell; which aforesaid improvements are now comprised in one, containing four hundred and eighty acres of land, be the same more or less. And, finally, I, Hugh White, for the valuable consideration of sixteen hundred dollars, aforesaid, do by these presents convey the aforesaid improvements to the said Walworth, with all the privileges and appurtenances thereunto belonging; and that I the said White do warrant and defend the said improvements against all claim or claims, demand or demands, whatsoever, excepting the claims of the United States, and, also, the Spanish claim of Don Carlos De Vilemont.

Given under my hand and seal, this 22d day of April, A. D. 1828.

HUGH WHITE, his + mark.

Test:
ANDREW LATTING,
J. W. BOONE.

Personally appeared before me, clerk and ex officio recorder of the county of Chicot and Territory of Arkansas, the within subscribing witnesses, Andrew Latting and J. W. Boone, and on oath say Hugh White gave the within conveyance of his own free will, and for the purposes therein contained. Given under my hand and seal of office, this 22d day of April, A. D. 1828.

RICHARD LATTING, *Clerk, &c.*

I do hereby certify that the foregoing conveyance is a true copy from the original filed in my office for recording. Given under my hand and seal, this 22d day of April, A. D. 1828.

RICHARD LATTING, *Clerk.*

STATE OF ARKANSAS, *County of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder, do hereby certify that the foregoing instrument of writing is a true and correct copy of the original filed in my office for record, and recorded the 22d day of April, A. D. 1828. Record-book A, page 56.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office, at Columbia, the 12th day of October, in the year of our Lord eighteen hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 14.

Know all men by these presents, that I, Ignace Bogy, for valuable consideration of five hundred dollars to me in hand paid by Hugh White, a certain improvement I now live on, joining the west corner of Hugh

White's improvement on the west, and containing two acres in front, and running back with right angles from the Mississippi river, to include one hundred and sixty acres, also the cotton standing and growing on said ground, with all the other improvements and appurtenances thereunto belonging, and which improvement was formerly settled by Amos Moore for Charles de Vilemont, and which improvement and quantity of land I obtained from said de Vilemont; and I do, by these presents, convey the same unto Hugh White, his heirs, forever, against me, my heirs, &c., and warrant and defend all the right, title, interest, claim or demand, the said C. de Vilemont had, or ever could have, either in law or equity, to the said land and improvement.

In testimony whereof, I have hereunto set my hand and seal, this 16th day of September, A. D. 1826.

IGNACE BOGY.

Test:
ANDREW LATTING,
RICHARD LATTING.

Personally appeared before me, Andrew Latting, a subscribing witness to the within conveyance, and also Richard Latting, and on their oaths do say that Ignace Bogy gave the aforesaid conveyance of his own free will, and for the purposes therein contained. Given under my hand and and seal of office, this 28th day of September, A. D. 1826.

RICHARD LATTING,
Clerk of Chicot county.

I do hereby certify that the foregoing conveyance or instrument o writing, &c., is a true copy from the original filed in my office for record ing. Given under my hand and seal, this 16th September, A. D. 1826.

RICHARD LATTING,
Clerk and ex officio recorder of Chicot county.

STATE OF ARKANSAS, *Chicot county:*

I, James Blaine, clerk of the circuit and county courts and ex offici recorder, do hereby certify that the foregoing instrument of writing is true and correct copy of the original filed in my office for record, an recorded the 16th day of September, A. D. 1826. Record-book A, page 2(

In testimony whereof, I have hereunto set my hand, and affixed th seal of my office, at Columbia, this twelfth day of October, in the year o our Lord eighteen hundred and thirty-six, and of the independence o the United States the sixty-first.

JAMES BLAINE, *clerk, &c.*

No. 15.

STATE OF ARKANSAS, *Chicot county:*

Hiram Monell being duly sworn, deposes that he arrived in th county in November, 1830, and lived on Point Chicot until May, 183

and since at Columbia. Until 1832 the county seat was on Point Chicot, on a small tract given to the county by Andrew Latting. On this donation a jail was built, and near it some lots were laid off on which John C. Jones had built some houses, which he rented out for stores. This place was called the town of Vilemont. The site on which these buildings were erected has nearly altogether caved in; some houses have been removed, and nothing now remains of the town but the jail and a small abandoned house in decay. In 1832, the county seat was removed from Point Chicot to Columbia; one of the reasons alleged for this measure, was that the land was covered by the Vilemont claim, and for this same reason a donation which John C. Jones offered at Point Chicot was refused by the county commissioners. Since then, the county seems to have abandoned all claim to the said donation, and the land round the jail is now cultivated in cotton by Walworth.

In 1832, Alanson Morehouse, the administrator of Andrew Latting's estate, sold the interest of the estate in the improvement made by Andrew Latting, at public sale, to John C. Jones; in which purchase the commercial firm of Mitchell & Co. was jointly interested. The purchasers having neglected to pay the purchase money, the trustee of the administrator of the estate of Andrew Latting proceeded to sell the improvement under the deed of trust given by the purchasers, and was restrained from selling by an injunction obtained on the ground of want of title. This suit is still pending. Some time in 1835, Anthony H. Davies, the liquidating partner of the firm of Mitchell & Co., transferred the interest of the firm in the said purchase and suit to H. F. Walworth.

The conditions of this transfer were, that Walworth should put himself in the place and stead of John Mitchell & Co., exonerate them from any responsibility, and refund to them the expenses already incurred for fees &c., which amounted to about $150. Deponent was then a clerk of John Mitchell & Co., and saw an entry in their books to this effect by A. H. Davies. H. F. Walworth is now in possession of this improvement.

Samuel Parker had an improvement on the lower side of the point. Sometime in June or July last, (1836,) Parker sold this improvement to H. F. Walworth without warranty and without any recourse upon him, the said Parker. Deponent understood so from Parker himself.

Since deponent's arrival in this county, H. F. Walworth and Benjamin L. Miles have extended their fields considerably. During deponent's residence in the county, the grant of the de Vilemonts was universally spoken of, and the general belief was that the grant was a good one.

It is generally believed in this district of country that clearing land is worth from 15 to 20 dollars an acre where it is heavily timbered.

The heirs of Joseph Boone have an improvement on the point, which they are said to hold with the permission of, and under an agreement with, Don Carlos de Vilemont. Deponent understood so from the late John C. Jones, the son-in-law of Joseph Boone.

HIRAM MONELL.

Sworn to and subscribed before me, this 19th day of September, A. D. 1836.

JAMES BLAINE, *J. P.*

No. 16.

CHICOT COUNTY, *State of Arkansas:*

Henry Baker being duly sworn, deposes that he first came down to the southern country in 1805, and then lived about two or three years at Natchez. Afterwards, he lived at different places on the river, until about 18 months before the battle of New Orleans, when he settled on Point Chicot. About 1809 or 1810, deponent met Amos Moore and his family in Cypress bend, perhaps 40 miles above Point Chicot, in a boat. Deponent conversed with Moore, who told him that he went to Point Chicot, and that he had leased that land from Don Carlos de Vilemont. Previous to that, when deponent was taking out a raft of timber near Point Chicot, he saw Vilemont frequently at the point, who then staid there some considerable time. It was then well known that Vilemont had a claim to Point Chicot, and has been known ever since.

Some three or four years ago, John C. Jones proposed to deponent to settle on Point Chicot, just above Boone's improvement, and about three miles below Columbia, and make an improvement there, and if he should acquire a pre-emption right, to sell it to the said Jones. Jones was afraid that somebody would take possession of this place, and wished to have it himself. Deponent took possession of the place and made the improvement, but did not bind himself to give up his pre-emption right to the said Jones. Deponent stayed there upwards of a year, and then left it for a place about half a mile below Columbia, on H. F. Walworth's land. Deponent then sold this pre-emption to Walworth, on condition that Walworth should prove it up, and if he obtained it, pay deponent well for it. Deponent, when he made the improvement, knew that it was included in the Vilemont claim, and that it was reserved from sale on account of the claim. This improvement is now in the possession of the heirs of John C. Jones, who had married a daughter of Joseph Boone.

Deponent, when he first arrived at the point, bought an improvement from Fields and Newton, just above Mrs. Parker's improvement. He afterwards made an improvement on the long pond, which is now the upper part of Miles's plantation. Deponent afterwards sold both these improvements to Miles.

HENRY BAKER, his × mark.

Sworn to and subscribed before me, this 19th day of September, A. D. 1836.

HIRAM MONELL, J. P.

No. 17.

Know all men by these presents, that I, Henry Baker, of the county of Chicot and Territory of Arkansas, hath granted, bargained, and sold, to John C. Jones, of said county and Territory, all that improvement made and further to be extended by me, the said Baker, as below: situated in the southeast quarter of section seven, township fifteen south, range one, east of the fifth principal, for the consideration of ten dollars, to me in hand paid, the receipt whereof is hereby acknowledged, and also for the further considerations hereinafter expressed. And I, the said Henry

Baker, do hereby renounce and forever quit claim to the aforesaid improvement, and all the lands and privileges that do or may appertain thereto. And it is agreed between the said Henry Baker and said John C. Jones, that the said Baker shall have the option of living in the said improvement two years from the first of January next, unless the said Jones should sell the land on which it is situated before that time, and that the said Baker is to go on to clear and fence ten acres of ground, for which the said Jones is to pay to the said Baker the further consideration of one hundred dollars, when the same shall have been completed. The said Jones agrees to haul the rails for the fencing of said ground, and to permit said Baker to cultivate four acres of the cleared land, for the term of two years as aforesaid. It is further understood that the clearing of the ground is to be made on the cane-ridge, in the rear of the houses now occupied by said Baker. All trees under one foot diameter to be cut down and burned, and all the larger trees to be girdled, and the said Baker, *his heirs*, *executors*, or *administrators*, &c. shall yield up and deliver quiet and peaceable possession to the said Jones, his heirs or assigns, the said improvements, with all the appurtenances, at the expiration of the two years aforesaid, without any let, hindrance, or damage to him, the said Jones, his heirs or assigns. In witness whereof, I the said Henry Baker have hereunto set my hand and seal this ninth day of July, in the year 1832.

HENRY B. BAKER, his + mark.

Test: JAMES MCKINNY.

TERRITORY OF ARKANSAS,
County of Chicot, Oden township.

This day personally came before me, James ————, justice of the peace in and for the township aforesaid, the within-named Henry Baker, who acknowledged that he did sign, seal, and deliver the foregoing instrument of writing for the uses and purposes therein named and expressed. Given under my hand and seal this ninth day of July, 1832.

I, James Blaine, clerk of the circuit and county courts and ex officio recorder in and for the county of Chicot, Territory of Arkansas, do hereby certify that the foregoing instrument of writing is a true copy of the original filed in my office for record, and recorded this day by me, September 29, 1836.

JAMES BLAINE,
Clerk, ex officio recorder.

STATE OF ARKANSAS, *County of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder, do hereby certify that the foregoing instrument of writing is a true and correct copy of the original filed in my office for record, and recorded the 29th day of September, A. D., 1836. Record-book B, pages 235 and 236.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office at Columbia, this 12th day of October, in the year of our Lord eighteen hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 18.

Know all men by these presents, that I, Henry Baker, of the county of Chicot, have thus delivered up to Mary Jones, executrix of John C. Jones, deceased, the little improvement in section seven, township fifteen, range one, east, which I was to make for the John C. Jones, agreeable to lease, which is in the possession of the said Mary Jones, as I have received full compensation for the same.

Given under my hand and seal, this 18th day of February, 1834.

HENRY BAKER, his × mark.

Test: A. W. Webb.

I, James Blaine, clerk of the circuit and county courts and ex officio recorder in and for the county of Chicot, and Territory of Arkansas, do hereby certify that the foregoing instrument of writing is a true copy of the original filed in my office for record, and recorded this day by me.

JAMES BLAINE,
Clerk and ex officio Recorder.

September 29, 1836.

State of Arkansas, *county of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder, do hereby certify that the foregoing instrument of writing is a true and correct copy of the original filed in my office for record, and recorded the 29th day of September, A. D. 1836. Record-book B, page 237.

In testimony whereof, I have hereunto set my hand and affixed the seal of my office, at Columbia, this twelfth day of October, in the year of our Lord eighteen hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 19.

State of Arkansas, *county of Chicot:*

This day personally appeared before me, James Blaine, an acting justice of the peace within and for the county aforesaid, Britton Ward, who, being duly sworn according to law, deposeth and saith that Don Carlos de Vilemont was Spanish commandant at the post of Arkansas from the year A. D. 1794 to A. D. 1802; that subsequent to those years he became personally acquainted with him, (Don Carlos de Vilemont,) in the year 1816, at Chicot Point; that he was then attending to land on and about Point Chicot; and previous to the cession of Louisiana to the United States, there was no white settlement from the mouth of St. Francis river to the mouth of Yazoo, and it would have been unsafe and hazardous in the extreme to have attempted to make a settlement, on account of hostilities of the Indians, who committed many depredations upon the inhabitants on both sides of the river; further, this deponent saith that he frequently heard it said that de Vilemont attempted to make a settlement in the year A. D. 1803; and in the year A. D. 1816 he became acquaint-

ed with Amos Moore and Malbrough, (alias John B. Dagle,) on Point Chicot; that they had some ten or fifteen acres in cultivation in corn and vegetables, and raised an abundance of poultry, hogs, and cattle, and that he knew them to be sent there as agents by de Vilemont, and that they professed themselves to be such. He also knew that Le Fevre had lived on Point Chicot as the agent of de Vilemont previous to Moore and Malbrough's making a settlement there. He further states that he knows Amos Moore was sent from the post of Arkansas by de Vilemont to make a settlement on Point Chicot; that said Moore built the house in which the family now reside, and that said Moore lived in said house until 1819, which year he died. After Moore's death the place was left vacant for about two years, during which time many depredations took place, and Thomas Ferguson got possession of the improvement afterwards occupied by the late Andrew Latting, and since sold by his administrator (Morehouse) to John C. Jones and John Mitchell. In the year 1809 or 1810, this deponent is informed that de Vilemont sent a number of cattle from the post of Arkansas to Point Chicot, and he knows this to be the fact; and that, in the year A. D. 1821, Don Carlos de Vilemont moved to Point Chicot with his family, who have ever since been residing there, de Vilemont having died in A. D. 1824, leaving a widow and eight children, and for the last fifteen years strenuous efforts have been made by the family of de Vilemont and their agents to procure the confirmation of the claim, and to prevent any usurpations by intruders.

Andrew Latting got possession of Ferguson's improvement in 1819 or 1820, by seizing on it in absence of Ferguson, under pretence of a debt due to said Latting from Furguson; said Latting being a magistrate, had it sold at the constable's sale, and bid it off himself at a very trifling price, and setting aside all formalities of law or equity. The county seat was established at Point Chicot, and called Vilemont, in A. D. 1823. It was a donation from Andrew Latting to the county, in 1823, of part of the land he usurped from the family through Ferguson's improvement, (160 feet square.)

The fact of Don Carlos de Vilemont having a claim or grant to Point Chicot has always been a matter of general notoriety. Hugh White, Andrew Latting, and Benjamin L. Miles, always expressed themselves with regard to the claim as being fearful of it, and anticipated its confirmation, which would deprive them of their improvements; and, indeed, Hugh White moved without the supposed limits of the claim on account of it. When the sale of lands took place in 1830, the de Vilemont family, through their agents, objected to the sale of that township in which Point Chicot lies, and William Russell entered a protest against the sale in the land office at Little Rock; and the point itself and adjoining tracts were specially reserved from sale by the officers of Government, giving as a reason for so doing the anticipated confirmation of the claim. Unremitting exertions have been used heretofore by the de Vilemonts and their agents to procure a public survey of the land, but were not able to obtain it. H. F. Walworth was fully aware of the claim when he purchased from Hugh White in 1828, in the month of April, White having sold to him on account of fear and dread of the claim. Walworth and Miles have increased their force and extended their places to an immense expanse,

and have made fortunes, or thousands of dollars, off of the land belonging to the grant. The lands which the claimants, in their memorial, have offered to abandon on the Mississippi and elsewhere, are of great and immense value, being fine cotton lands, nor can any public unappropriated lands be found within the State of equal value. H. F. Walworth became possessed of the small tract from Archer, by renting it from said Archer, who purchased from Alanson Morehouse, who built a house on it; it contained about six acres of cleared land. The clearing of land in this section of country adds about fifteen dollars per acre to its value. In Spanish times and after the cession of Louisiana by Spain, Point Chicot was known by the name of the island of Chicot. In the year 1830 or 1831, Elijah Boston was employed by Benjamin L. Miles to make an improvement within the supposed limits of the claim, and about one and a half or two miles above the present residence of Madam de Vilemont, with a view to gain a pre-emption, and throw obstacles in the way of the confirmation of the claim; and further this deponent saith not.

BRITTON WARD.

Sworn to and subscribed before me, this 1st day of November, A. D. 1836.

JAMES BLAINE, *J. P.*

STATE OF ARKANSAS, *county of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder within and for the county aforesaid, do hereby certify that James Blaine, whose name is subscribed to the foregoing instrument of writing as the officer before whom the same was made, is, and was at the time of taking the same, an acting justice of the peace in and for the county aforesaid, duly commissioned and qualified, and that full faith and credit are due to all his official acts as such.

In testimony whereof, I have hereunto set my hand and affixed the seal of office, at Columbia, this 15th day of November, in the year of our Lord one thousand eight hundred and thirty-six, and of the independence of the United States the sixty-first.

JAMES BLAINE, *Clerk, &c.*

No. 20.

TERRITORY OF ARKANSAS, *Chicot county:*

Whereas the late Carlos de Vilemont did obtain, on the 17th of June, 1795, from the Baron de Carondelet, then Governor General of the province of Louisiana, a concession or order of survey for a tract of land on the right bank or west side of the river Mississippi, at the place called Point Chicot, 25 leagues below the mouth of the river Arkansas, having two leagues in front by one league in depth, now situated in Chicot county, Arkansas Territory:

Whereas the said Carlos de Vilemont conveyed, on January 16th, 1811, by a deed or writing, under private signature, the undivided half of the

said tract of land to Charles Tessier, of the parish of East Baton Rouge, State of Louisiana:

Whereas all the said right, title, and interest of the said Charles Tessier, in the said tract of land, has since been conveyed to Robert J. Walker, of the city of Natchez, in the State of Mississippi, who has given, on the 24th instant, a power of attorney to Louis Janin, Esq., of the city of New Orleans, to represent him in all matters relating to the said claim:

Whereas it is the interest of all parties interested in the said claim to effect the settlement of the said claim and the partition of the land with as little delay as possible:

Now, therefore, I, Catherine Bougy, widow of the late Carlos de Vilemont, and we, Carlos de Vilemont, Pedro de Vilemont, Ursin de Vilemont, Zoë de Vilemont, and Virginia de Vilemont, the latter five being the lawful issue of the said Carlos de Vilemont with the said Catherine Bougy, hereby appoint, nominate, and constitute Louis Janin, of the city of New Orleans, our true and lawful attorney, for us and in our names to take all proper and necessary measures to procure the confirmation of the said claim, to have it surveyed, to take a patent therefor, draw up and sign memorials to Congress, make therein such concessions as he may think proper and necessary for our interests, claim and sue for the possession of any part of the said land which may be unlawfully withheld by other persons, examine and admit or contest any claims to any part of said land which any person may pretend to have, make compromises and agreements in relation to the said land and to the boundaries of the whole or any portion thereof, institute the necessary proceedings to establish these boundaries, proceed to its partition according to the forms prescribed by the laws of this Territory and to the respective rights of the parties therein interested, to do in the premises and for the settlement of our rights to the said land whatever we could do ourselves, promising and agreeing to maintain, abide by, and ratify whatever he shall do in the premises, and to contribute in proportion to our interests, to wit, the interest of the widow and heirs of the late Carlos de Vilemont, in the said land, to the expenses which the said Louis Janin may make for the purposes contemplated in this letter of attorney.

Witness our hands and seals at Point Chicot, Chicot county, Arkansas Territory, this twenty-ninth day of July, eighteen hundred and thirty-five.

CATHERINE DE VILEMONT, [L. S.]
PEDRO DE VILEMONT, [L. S.]
CARLOS DE VILEMONT, [L. S.]
ZOE DE VILEMONT, [L. S.]
VIRGINIA DE VILEMONT, [L. S.]
URSIN DE VILEMONT, [L. S.]

TERRITORY OF ARKANSAS, *County of Chicot:*

This day personally appeared before me, James Blaine, clerk of the circuit and county court, and ex officio recorder within and for the county aforesaid, Catherine de Vilemont, Pedro de Vilemont, Carlos de Vilemont, Zoë de Vilemont, Virginia de Vilemont, and Ursin de Vilemont,

persons well known to me, who acknowledged that they voluntarily executed and signed, sealed and delivered, the foregoing letter of attorney, for the use and purposes therein mentioned and contained.

In testimony whereof I have hereunto set my hand and caused the seal of office to be affixed to the same, at Columbia, this [L. S.] twenty-ninth day of July, eighteen hundred and thirty-five, and of the independence of the United States of America the sixtieth.

JAMES BLAINE,
Clerk and ex officio Recorder.

TERRITORY OF ARKANSAS, *county of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder in and for the county aforesaid, do hereby certify that the foregoing power of attorney (from Catherine de Vilemont, Pedro de Vilemont, Carlos de Vilemont, Zoë de Vilemont, Virginia de Vilemont, and Ursin de Vilemont, to Louis Janin) is a true and correct copy of the original filed in my office for record this day.

In testimony whereof, I have hereunto set my hand and caused the seal of office to be affixed to the same, at Columbia, this twenty-[SEAL.] ninth day of July, in the year of our Lord one thousand eight hundred and thirty-five, and of the independence of the United States of America the sixtieth.

JAMES BLAINE, *Clerk,*
and ex officio recorder.

I join in the above power of attorney to Ls. Janin, Esq., as if I had originally been a party thereto.

NEW ORLEANS, *June* 27, 1836.

LS. DE VILEMONT.

U. DE VILEMONT, witness.

I, the undersigned James Blaine, husband of the above-named Zoë de Vilemont, do join in the above power of attorney.

COLUMBIA, (Arkansas,) *September* 19, 1836.

JAMES BLAINE,

No. 21.

Plat of fractional township fifteen, south of the base line of range one, east of the fifth principal meridian.

[Here, in the original, follows the plat.]

LAND OFFICE, HELENA, ARKANSAS,
October 22, 1836.

I, Henry L. Biscoe, register of said office, do hereby certify that all the lands at Point Chicot, county of Chicot, and State of Arkansas, as rep

resented in the annexed plat, to wit: all of fractional township fifteen, south of the base line of range one, east of the fifth principal meridian, has been reserved from sale for the purpose, as is alleged, of satisfying a grant of land made by the Spanish Government to the late Don Carlos de Vilemont, late Spanish commandant at the post of Arkansas. And I do further certify that I have heard of the existence of such a grant of land, from general rumor, ever since the year 1821, when I first came to Arkansas. Given under my hand this 22d October, 1836.

H. L. BISCOE, *Register.*

No. 22.

GENERAL LAND OFFICE,
17*th June*, 1836.

SIR: It having been represented to this office that entries have been permitted at your office of lands within the limits of the "Houma grant," as claimed before the board of commissioners, I have to advise you that, although this office cannot recognise the claim as confirmed, under any circumstances, to the extent contended for by the parties interested, yet, as the law prohibits the sale of any lands to which a claim was filed in due time, and according to law, with the commissioners, for the purpose of being examined, the sale of any portion of the land within the limits claimed at the time of filing the same with the commissioners is unauthorized, and I therefore have to request that you withhold all the lands within the claimed lines from entry.

You are also requested to furnish this office, as soon as practicable, with an abstract showing all the sales heretofore made within those lines, in order that the issuing of patents thereon may be prevented.

In case you should deem it necessary, you are requested to procure from the Surveyor General a diagram showing the lands included within the Houma grant, as claimed before the commissioners, but to enable him to do so, it will be necessary for you to furnish him with a copy of the report of the commissioners upon the subject.

I am, very respectfully, sir,
Your obedient servant,
ETHAN A. BROWN,
Commissioner.

The REGISTER OF THE LAND OFFICE
at New Orleans, La.

I, B. Z. Canonge, register of the land office at New Orleans, do hereby certify the foregoing to be a true copy of the original letter deposited in this office.

In faith whereof, I hereunto subscribe my name this 15th December, 1836.

B. Z. CANONGE, *Register.*

MEMORIAL OF HORACE F. WALWORTH AND OTHERS,

OF ARKANSAS,

Remonstrating against the confirmation of the title to land in that Territory, derived from a Spanish grant to Carlos de Vilemont.

In Senate, March 11, 1836.—Ordered to be printed.

To the honorable the Senate and House of Representatives of the United States:

The memorial of H. F. Walworth, B. L. Miles, and others, respectfully showeth:

That your memorialists and other citizens of the United States and of the Territory of Arkansas, feel themselves much interested in a portion of what they conceive to be the public lands of the Government within the said Territory, but which is claimed by certain individuals under a pretended Spanish grant to a certain Carlos de Vilemont.

Your memorialists and other citizens, many years ago, encouraged by the pre-emption laws of the United States, believing that the title to this land had passed to the United States, and finding it unoccupied, and as far as they had any opportunity of knowing, unclaimed, made their settlements and improvements thereon, at great labor and expense, and subjected themselves to all the hardships incident to a new settlement; and now that they find themselves established in comfortable homes, and improved plantations, with every prospect of having their titles to the land they thus occupy confirmed according to the provisions of the laws under which they were invited to improve them, they learn that an old stale claim under a Spanish paper, dated in 1795, which never had been followed by any possession on the part of the grantee, nor even surveyed or in any manner recognised by the Spanish Government, at the time of the cession of this Territory to the Government of the United States, but which, if it ever gave any right to the grantee, gave only the right to do certain acts within a limited time, in order to obtain thereby a title to the land, no one of which acts ever was done, so as to impose any obligation either upon the Spanish or American government to grant the said land to the person named in the said paper, hath been set up by certain speculators or purchasers of the said pretended title, to defeat the just rights of your memorialists and of the public.

Your memorialists state that, although under a former commission to report on the validity of Spanish grants, this claim was rejected, yet it hath at last, by dint of importunity, and without a full and sufficient opportunity given to your memorialists to contest it, received a favorable report from the commissioners now acting under the authority of Congress in reporting on those grants.

This concession, as it is called, with the approval of the said commissioners, appears in the report of claims acted on by them and reported to the last session of Congress, recommending that it be confirmed for two leagues of land in front by one league in depth, without any survey having been made, or any particular and definite location being given to it, or any principle established by which its location can be fixed: so that

your memorialists are utterly at a loss to know what particular portions of land may be covered by the claim; the terms of description used in the paper being so loose and indefinite as to create alarm and apprehension among all the occupants of the public lands in that part of the Territory: so that your memorialists would contend, if there were no other objections to the paper, and if it were in fact a grant regularly issued, that it was void, for uncertainty. It does not describe the land so that it could be located; it being entirely uncertain whether it was to be on island of Chicot, or on either, or which side of the river, and no doubt was thus vaguely, purposely expressed, that the party in whose favor it was executed might select the location he preferred—the paper being not a grant, but a mere promise to grant thereafter, if the party should comply with the prescribed conditions within the limited time, establish himself on the land, and exhibit a plat and certificate of survey. These are the express terms of the paper which has been thus recommended to be confirmed, and it is not pretended that at the time of the cession any such possession had been taken, or location selected, or survey made, although the paper bears date in 1795, and one of the conditions was required to be performed "in the peremptory term of one year," and the whole to be null, if the land should not be established "at the expiration of the precise term of three years."

As to the performance of these conditions, some proof was attempted to be offered to the commissioners of a settlement by Vilemont prior to 1803, and his having an agent there in that year; but this was contradicted by two of the claimant's own witnesses, Vaugine and Bougy, who swear that there could be no settlement there till 1803, on account of the hostility of the Indians. Opposed to this contradicting evidence on the part of the claimants, your memorialists are prepared with abundant and undoubted evidence to show that neither de Vilemont, nor any of his agents or family, attempted a settlement at Point Chicot until 1810 or 1811; that for years after the cession to the United States, he never imagined that this paper, under which he had leave to establish himself upon land, the precise location of which he was to determine, and which he knew he had never done an act to entitle himself to, could be set up against the United States as a grant which, under the cession, they were bound to acknowledge. It was not until then, upon some suggestion, no doubt, from persons who supposed that something might be made out of the claim, that he was seen to make his first movement towards complying with the conditions on which he was to be allowed a grant by the Spanish Government, or to set up any pretensions to a title under this antiquated paper.

The commissioners say, in their report, that this claim ought to be confirmed according to the concession, reference being had to the opinion of Judge Smith, as afterwards sustained by the decision of the Supreme Court of the United States in the case of Arredondo and others against the United States.

Your memorialists are advised that there is nothing in the case thus referred to that can give any sanction to this claim. On the contrary, the principles there decided will show that this concession can have no validity.

In the case of Arredondo, it was held by the court that, at the date of

the Spanish treaty, the time for fulfilling the conditions of the grant had not expired; that the eighth article of the treaty provided that in all cases further time should be allowed the grantees to fulfil the conditions, equal in extent to the time originally allowed them by the terms of the concession from the Spanish Government; and further, that the performance of the conditions was rendered impracticable after the cession of the lands to the American Government, so that the grantees could not be held, in a court of equity, to have forfeited their title by the non-performance of the conditions.

In the present case, not one of these grounds for sustaining the claim by an extension of the time of performing the conditions, or dispensing with the performance, can be found.

The concession was dated in 1795, limiting the time of performing the conditions to one and three years. Spain retained the dominion of the country for five years; so that at the time of the cession to France, the year 1800, it had become null and void by its terms. While France retained the dominion of the country, nothing was done to perform the conditions, or to obtain any recognition by that Government of the validity of the concession.

In 1803, therefore, when the lands were ceded to the United States, there could be no original Spanish claim which had become more entirely extinct; and if this should be confirmed, there can no doubt be found hundreds of others which had been extinguished, equally entitled to be revived.

But if the time for performing these conditions had not expired in 1803, still there would be no such provision for extending that time as is contained in the eighth article of the Florida treaty.

And again, if there was, and the United States could be considered as in any manner bound to allow the grantee the same time originally provided in the original concession for the performance of the conditions, that is, one and three years from the time of the cession; that time, thus extended, having expired from 1803, before the grantee complied with the conditions, would again and equally nullify the claim. The remaining ground taken in the case of Arredondo, is also inapplicable here. There, the conditions were the removal and establishing on the lands two hundred Spanish families, and this was held a condition rendered impossible or immaterial after the treaty brought the lands within the dominion of the United States, so that the title of the grantees could not be forfeited when the grantor had, by the cession of the territory to another Power, virtually dispensed with the condition of the grant.

But here the condition was, that the grantee should take possession, establish and improve the land, and return a survey and plat. De Vilemont, after 1803, might have done this. His own proof shows that there was then no hostile Indians, nor any other pretext for delaying the performance of these conditions. Had he remained in the Territory after 1803, and claiming to be excused for not entering upon, designating, and improving the lands before then, on account of the hostility of the Indians, proceeded then to fulfil the terms of the concession by taking possession, procuring a survey, and claiming the confirmation of his title, he might possibly have been enabled to show some claim to have his pretensions fairly considered.

But if, instead of this, on the cession and the establisment of the American Government in the territory thus acquired, he retires within the Spanish Government in Florida, (as can be proved to have been the case,) makes no claim under this expired concession, nor any effort to take possession of the lands, and so remains in the Spanish dominions till 1809 or 1810, how can he, or those who claim under him, expect to be listened to when they attempt to set up this doubly-extinguished and long-abandoned concession?

Your memorialists therefore object to the confirmation of this paper—

1st. Because it is vague and indefinite in its terms, and instead of having that reasonable certainty required to the validity of a grant, is not susceptible of location.

2d. Because the limitation for the performance of the conditions had expired before the cession from Spain in 1800. And,

3d. Because, on the acquisition of the territory by the United States in 1803, the grantee, instead of making his claim and attempting to perform the conditions, abandoned the country and his claim.

Your memorialists, therefore, trust that an obsolete and abandoned claim, under a paper requiring a fulfilment of its terms, and looking to a completion of title on such fulfilment in 1790, and declared to be null if by that time no such fulfilment should appear, shall no longer be allowed to interfere with the just rights of your memorialists, and the interest and policy of the Government in the settlement, sale, and improvement of the public lands.

These lands, your memorialists beg leave to state, were surveyed as other public lands, in the year 1823; and some portions which have been supposed to lie within what are understood to be claimed as the limits of this pretended grant, have been sold and patented by the Government. On other portions of the land so understood to be claimed, many citizens of the United States have been long settled; many ever since the survey in 1823, and many long before; and the improvement and settlement of this part of the Territory is greatly retarded by the doubts necessarily existing as to the ultimate disposition of these lands.

They, therefore, respectfully ask that this claim be rejected, and the lands declared open for sale and entry, according to the provisions of the land laws of the United States.

They present herewith, certain depositions which they had no opportunity of laying before the commissioners, and will be prepared to sustain the statements herein made by other evidence, if required.

HORACE F. WALWORTH,
BENJ. L. MILES, *and others.*

DEPOSITIONS.

The deposition of John A. Holton, taken at the office of Lewis Madison, in the city Louisville, to be read before the Congsess of the United States, in support of a remonstrance of Horace F. Walworth against the claim of Don Carlos de Vilemont to a tract of land on Point Chicot, in the Territory of Arkansas. The deponent being sworn to tell the truth and nothing but the truth.

Being interrogated, he states that his first acquaintance at Point Chicot

was in 1809, but he had been down the river in 1808, but does not recollect any thing of Point Chicot until July or August, 1809. I landed the barge Eliza, then in distress, on account of the sickness of the crew, and remained twenty-nine days. There was a settlement or a house built on the bank, I think a log cabin, occupied by a Spaniard named Malbrough; it being the only settlement on the point, with the exception of one, about a mile lower down the river. I thought it was a very recent settlement, and was confined to a small rail fence around the cabin. I do not know that they raised any thing. It is my impression that they did not. It was a small cabin. I thought the Spaniard appeared to live by hunting, and trading with boats passing up and down the river. I did not see the settlement said to be about a mile below the Spaniard's, but was told by the men on my boat that it was occupied by an Englishman. I understood it was such a settlement as Malbrough's, and not a plantation or place under cultivation. And further this deponent saith not.

JOHN A. HOLTON.

STATE OF KENTUCKY, } ss.
Jefferson County. }

The foregoing deposition of John A. Holton was this day taken, subscribed, and sworn to, by the said John A. Holton, before the undersigned, a justice of the peace for said county, and one of the judges of the county court of Jefferson county.

The deponent was examined, cautioned, and sworn, and his deposition wholly written by me, at the time and for the purpose stated in the caption thereof.

Given under my hand, this 18th day of February, 1836.

LEWIS MADISON, *J. P. J. C.*

I have sealed and addressed this deposition to the Congress of the United States.

LEWIS MADISON.

TERRITORY OF ARKANSAS, }
County of Chicot. }

Personally appeared before me, an acting justice of the peace, Henry Baker, of lawful age, who being duly sworn, deposeth that, in the year of 1809, about the month of February, that he cut and put in a raft of timber of cypress trees, on section 24, township 155, 1 west, and section 18, township 15, 1 east, and the intermediate fractions of section 13, 1 west, as now appears from public surveys, now made, and further states that there were no settlements on what is now known as Point Chicot, except John Baptist, alias Malbrough, alias Daigle, and Joseph Huttsel, who were living upon what is now known as section 4 and 5; and there were no other settlements between the mouth of White river and the mouth of the Yazoo, and the said Malbrough, alias Daigle, and Joseph Huttsel, lived in picket camps; and neither of those settlers were known or surmised as agents of Don Carlos de Vilemont; and the deponent further states that there were no road or roads from Point Chicot to the post of Arkansas, and there is not to this day any public road from

Point Chicot to the post; and the deponent further states that he was acquainted on the river as early as 1805, and that there was no serious danger to be apprehended from the Indians. And further deponent saith not.

HENRY BAKER, his × mark.

Sworn to and subscribed before me, this 24th day of November, 1835.

JAMES BLAINE, *J. P.*

TERRITORY OF ARKANSAS, }
County of Chicot. }

I, James Blaine, clerk of the circuit county court, and ex officio recorder within and for the county aforesaid, do hereby certify that James Blaine, whose name is subscribed to the annexed affidavit, as the officer before whom the same was made, is and was at the time of taking the same, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit are due and ought of right to be given to all his official acts as such.

In testimony whereof, I have hereunto set my hand and affixed the seal of office, at Columbia, this 24th day of November, A. D. 1835, and of the independence of the United States the sixtieth.

[L. S.] JAMES BLAINE, *Clerk.*

UNITED STATES OF AMERICA, *Territory of Arkansas, county of Chicot:*

Personally appeared before me, an acting justice of the peace for the county of Chicot, Joseph Egg, who, being duly sworn, deposeth that he commenced ascending and descending the Mississippi, in 1804, as a bargeman, and continued as a bargeman regularly until 1808, and says that there was no improvement or settler at Point Chicot, or, to the best of his knowledge, there was no improvement from the mouth of the St. Francis to the Yazoo.

JOSEPH EGG.

Sworn to and subscribed before me, an acting justice of the peace for Chicot county, this 20th day of July, 1835.

W. P. REYBURN, *J. P.* [SEAL.]

URITED STATES OF AMERICA, *Territory of Arkansas, county of Chicot:*

Personally appeared before me, an acting justice of the peace for the county and Territory aforesaid, Isaac Moore, who, being duly sworn, says that, in October, 1811, his father, as the agent of Don Carlos de Vilemont, settled at Point Chicot; that at the time of the arrival of his father, Amos Moore, at Point Chicot, there appeared to have been a small improvement of about a half acre, which appeared to have been made about one year; and that his father, Amos Moore, remained there until 1819; and further the deponent saith not.

ISAAC MOORE.

Sworn to and subscribed before me, a justice of the peace for the county and Territory above written, this 21st day of October, A. D. 1835.

W. P. REYBURN, *J. P.*

TERRITORY OF ARKANSAS, *County of Chicot:*

I, James Blaine, clerk of the circuit and county courts and ex officio recorder within and for the county aforesaid, do hereby certify that William P. Reyburn, whose name is subscribed to the foregoing affidavit, as the officer before whom the same was made, is, and was at the time of taking the same, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit are due, and ought of right to be given, to all his official acts as such.

In testimony whereof, I have hereunto set my hand and affixed the seal of office, at Columbia, this 24th day of November, in the year of our Lord one thousand eight hundred and thirty, and of the independence of the United States the sixtieth.

[SEAL.]

JAMES BLAINE, *Clerk, &c.*

The deposition of Gabriel Winter, taken in the city of Louisville, State of Kentucky, on the 30th day of September, 1835, before Gabriel J. Johnston, a justice of the peace and judge of the county court of Jefferson county, in the State of Kentucky, to be read as evidence before the Congress of the United States, in support of the remonstrance of Horace F. Walworth against the confirmation of the claim of Don Carlos de Vilemont, to a tract of land on Point Chico, in the Territory of Arkansas.

The deponent, being of lawful age, and first duly sworn, deposes and says that he was at the post of Arkansas in the spring of 1798, and was well acquainted with Don Carlos de Vilemont, (who was the military commandant of the said post, and a captain in the service of his Majesty the King of Spain.) He frequently heard said Don Carlos de Vilemont speak of a grant which he had for a tract of land at Point Chicot, on the Mississippi river, situated immediately below a large cypress swamp or bend, having a front of two leagues by one league in depth; that in the spring of 1803 he was on said land, and there was not, at that time, any appearance of improvement on the said point, nor did he, at any time up to that period, understand that any improvements had been made, nor was there any roads, leires, house, or inhabitants, on the said river, between Little prairie and the Walnut hills; that in 1809, the said Vilemont informed him, (the deponent,) in New Orleans, that he was then going up to make a settlement and live upon said land. Deponent further states that, in his opinion, and to the best of his recollection, there was no improvement made on said land previous to 1809; and further saith not.

GABRIEL WINTER.

STATE OF KENTUCKY, *Jefferson county, ss:*

I, G. J. Johnston, a justice of the peace and one of the jugdes of the county court of said county, do hereby certify that the foregoing deposition of Gabriel Winter was reduced to writing by me, in the presence of said Winter, and having been carefully read over by me to him, was then subscribed and sworn to by him in my presence, at the time and place, and for the purpose stated in the caption thereof.

Given under my hand and seal, this September 30, 1835.

G. J. JOHNSTON, *J. P. J. C.*

I, Worden Pope, clerk of the county court of Jefferson county, in the State of Kentucky, and keeper of the seal of said county, do certify that G. J. Johnston, Esq., who has signed the above certificate, was, at the date thereof, an acting justice of the peace in and for said county, duly commissioned and sworn, and that full faith and credit are due to all his official acts.

In witness whereof, I have hereto set my hand and the said
[SEAL.] seal, this 7th day of December, 1835, and in the 44th year of the commonwealth.

WORDEN POPE.

ST. LOUIS, *October* 4, 1813.

Carlos de Vilemont, claiming two leagues of land in front by one league in depth, situate at fifteen miles below the mouth of Arkansas, on the Mississippi, at a place called Island of Chicot, produces concession from Baron Carondelet, dated 17th June, 1795.

Joseph Bougy, duly sworn, *(sworn,)* says that, in 1795, claimant proposed to witness to settle on this tract, promising to give him the choice of situations on it, a tract for his own use; witness declined, on account of the supposed danger from the Indians. Indeed, the neighboring Indians were at that time so hostile as to render it unsafe—they often committed outrages even in the village. Claimant was known as a Spanish officer, and commandant of the post of Arkansas, from the year 1794 till 1802. The danger from the Indians continued until the year 1803.

Francis de Vaugine, duly sworn, says that the Indians continued so unfriendly, or rather, hostile, as to make it altogether unsafe to settle at the Isle of Chicot till the year 1803.

Saturday, November 1, 1834.

The Board met, pursuant to adjournment. Present: F. R. Conway, J. H. Relfe, J. S. Mayfield, commissioners.

Carlos de Vilemont, claiming two leagues of land in front by one league in depth, situate Point Chicot, (see record-book F, page 1; Bates's minutes, page 58; Bates's decisions, page 24,) produces a paper purporting to be an original concession from the Baron de Carondelet, Governor General of Louisiana, dated 17th June, 1795.

M. P. Le Duc, duly sworn, says that the signature to the concession is in the true handwriting of the said Baron de Carondelet.

Adjourned until Monday next, at nine o'clock, A. M.

F. R. CONWAY.
JAMES S. MAYFIELD.
JAMES H. RELFE.

Tuesday, December 2, 1834.

The Board met, pursuant to adjournment. Present: F. R. Conway, J. H. Relfe, J. S. Mayfield, commissioners.

In the case of Carlos de Vilemont, claiming two league in front by one league in depth. See book No. 7, page 62.

Pierre Chouteau, senior, duly sworn, says that the signature to the concession is in the true handwriting of the Baron de Carondelet; that he, Chouteau, first became acquainted with said de Vilemont in the year 1776 or 1777; that he knows that said de Vilemont was captain in the Spanish service; that in 1802, witness, going down to New Orleans in a boat, stopped at the mouth of Arkansas river, having some business to transact with Joseph Bougy, senior, who lived at the post of Arkansas; that said Bougy told witness that de Vilemont (who was Bougy's son-in-law) had made a settlement at Point Chicot; that witness, on his return in the summer of 1803, stopped at Point Chicot, expecting to meet with de Vilemont, but de Vilemont had gone down to New Orleans; that his agent, living at Point Chicot, gave witness vegetables of all kinds, poultry, &c.; that the improvements witness saw, consisted of log houses and gardens—he did not see any fields—they might have been further in the interior; the houses, as well as he can recollect, had the appearance of having been built two or three years before.

Witness further says that he was well acquainted with Joseph Bougy, senior, who testified in this case before Recorder Bates, that said Bougy, senior, was a man of good character, known by every body for a man of veracity, and who could be relied upon.

Witness further says that the de Vilemont family resided on said place, but does not know how long.

Adjourned until to-morrow, at nine o'clock, A. M.

JAMES S. MAYFIELD,
JAMES H. RELFE,
F. R. CONWAY.

Wednesday, December 3, 1834.

The Board met, pursuant to adjournment. Present: F. R. Conway, J. S. Mayfield, J. H. Relfe, commissioners.

253. Carlos de Vilemont, claiming two leagues in front, by one league in depth. See No. 7, page 62.

The Board are unanimously of opinion that this claim ought to be confirmed to the said Carlos de Vilemont, or to his legal representatives, according to the concession, reference being had to the opinion of the honorable Joseph L. Smith, judge of the superior court for the district of East Florida, as afterwards sustained by the decision of the Supreme Court of the United States, in the case of Arredondo and others against the United States.

The Board adjourned until to-morrow, ten o'clock, A. M.

F. R. CONWAY,
JAMES H. RELFE,
JAMES S. MAYFIELD.

Recorder's Office, *St. Louis, Missouri, April* 9, 1835.

The foregoing is truly extracted from the minutes of record in this office.

F. R. CONWAY,
Recorder of Land Titles.

Warrant or order of Survey.	Survey.	Notice to Recorder.	Land Claimed.	Where Situated.	Possession, inhabitation, or cultivation.	Opinions of the Recorder.
Baron Carondelet, June 17, 1795.	Special Location.	Carlos de Vilemont.	Two leagues in front by one league in depth.	Opposite Isle Chicot, 15 miles below mouth of Arkansas river.	Danger from Indians prevented settlement.	Not confirmed, conditions not complied with, F. P. 1.

RECORDER'S OFFICE, SAINT LOUIS, MISSOURI,
October 18, 1830.

I certify that the foregoing is truly extracted from the decisions of Frederick Bates, Esq., (then recorder of land titles,) on land claims, since the adjournment of the Board of Commissioners for adjusting claims to land, as appears in book No. 2, page 24, in this office.

F. R. CONWAY,
Recorder of Land Titles.

FORT ST. ESTEVAN, (ST. STEPHEN,) ARKANSAS.

May 10, 1795.

To the Governor General:

Don Carlos de Vilemont, captain in the regiment of infantry of Louisiana, civil and military commandant of the post of Arkansas, and its districts, with due respect states to your lordships that, wishing to establish a plantation and a stock farm, in order to supply the consumption of this post, in which the scarcity of horned cattle is so great that, during many months in the year, meat cannot be procured, although it is an indispensable article to life, he supplicates your lordship to be pleased to grant to him a tract of land of two leagues in front by one league in depth, to be comprised within parallel lines, in the place called Chicot island, at the distance of twenty-five leagues below the mouth of Arkansas river; the cypress swamp of Chicot island is to serve as of upper limit; a favor which he expects to receive of your lordship's benevolence.

CARLOS DE VILEMONT.

NEW ORLEANS, *June* 17, 1795.

The Surveyor General of this province, or one appointed by him, shall put this party (the petitioner) in possession of the tract of land, of two leagues in front by one league in depth, which he solicits, in the place designated in the foregoing memorial, provided they are vacant and do not cause prejudice to any one; under the express condition to make the road and regular clearing in the peremptory term of one year; and this concession to be null if, at the expiration of three (years) the said land should not be established; during which time it shall not be alienable. Under which conditions, the plat and certificate of survey shall be made out in continuation, in order to provide the interested with the corresponding title in form.

EL BARON DE CARONDELET.

Registered.

ST. LOUIS, *November* 9, 1833.

Truly translated from a copy of the records, certified by F. R. Conway, recorder of land titles.

JULIUS DE MUN, *T. B. C*

LIVRO DE CORESPONDENCIA CON EL SR. GOVERNADOR.

No. 1.

Participo á V. S. haver llegado con toda felicidad á este puerto el dia 11 de este mes, y desde luego tomé posesion del mando politico y militar de este fuerte y su districto qe. se ha servido V. S. poner á mi cargo.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 12 de Julio de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 2.

Careciendo en este puerto de todo alivio pa. los enfermos, y hallandose sumamte. malo los soldados Juan Biana de la 3 del 1, y Anto. Morillo de la 6 de B. he determinado dirigirlos al Rl. Hospl. de Noyales, quedando con el Capn. D. Ignacio Delino, qe. me embiara pr. la primera ocasion el remplazo de los citados, pa. el completo de este Destacamento, lo qe. pongo á noticia de V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte de San Estevan de Arkansas, 13 de Julio de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 3.

Hé recivido el regalo delos Indios qe. venia á cargo del patron Ambrocio Crevé, conforme consta por la relacion el dia anterior de la fha.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 28 de Julio de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 4.

Enterado dela de V. S. con fha. de 7 de Junio devo participarle á V. S. que haviendome informado pr. diferentes abitantes de satisfaccion de este puerto, sercierto, y veridico la tierra desmontada que pide Da. Maria Feliciana de Morant, la misma qe. era mas comoda pa. la calle que se avia solicitado, á lo que inmediatemente pa. informacion de testigos le hedado á la dha. Da. Maria toda la justicia que V. S. me ordena, dandole la posecion que es necesaria de todas sus propiedades, lo que pongo á noticia de V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 29 de Julio de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 5.

He recivido la de V. S. confecha de 8 de Junio procimo pasado, en la qe. incontinente mandé juntar la Compa. de Miliosa dandoles á reconozer por The. y subthe. á los nombrados que V. S. expone en su escrito lo qe. pongo a noticia de V. S. pa. su intelligencia.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 29 de Agosto de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 6.

Haviendo recivido la de V. S. con fha. de 22 de Julio devo participarle á V. S. qe. en cáso qe. hubiere tal novedad, tomare todas las precauciones qe. V. S. mi ordena, mandando imediatamente lasordenes á los puertos qe. V. S. me relaciona, la qe. participo á V. S. pa. su conoscimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 29 de Agosto de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 7.

Participo á V. S. de haver llegado del puerto de Noyales los sold. Franco Lopez dela 4 del 1 y Juan Languies dela 3 del 2 en remplazo de Juan Biana dela 3 del 1 y Anto. Morillo de la 6 de Yd. delos que dis parte á V. S. en oficio No. 2.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 6 de Fbre. de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 8.

El Capitan D. Ignacio Delino, me tiene entregado dos pequeñas medallas para Gefé, lo qe. pongo á noticia de V. S. para su concimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 6 de Fbre. de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 9.

Haviendose juntado los Indios dela nacion de este distrito de Arkansas para recivir sus regalos, se han quejado todos los Gefes, diciendome qe. V. S. les mandaba mui pocas cosas, principalmente el gran Gefe Guapaticés, merefirio este dho que se havia hallado al regalo qe. V. S. mando dar álos Chikasas Sr. D. Pedro Rusau, viendo que lo suyo en comparacion de áquellos era muy pocó, me hase presente su sentimiento para que le espresise á V. S. á fin de que seles aumente mas el regalo ygualmente mantas chicas pa. los niños, lo que pongo á noticia de V. S. para su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 6 de Febre. de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 10.

Participo á V. S. como no se pueden contenir á los Chikasas, de robar los cavallos delos abitantes, y matar al ganado bacuno; aunque los tengo hablado, y regañado para este fin, lo qe. pongo á noticia de V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 7 de Fbre. de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 11.

Participo á V. S. como el soldado Manuel de Silva de la 4 compa. del 1er baton. fallecio en este puerto el dia 26 de Sepbre. de 1794, lo que pongo á noticia de V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 2 de Octubre de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 12.

Participo á V. S. como se nesecita una drisa para el palo del hasta Bandera, yuna querda de quarenta y cinco pres de lango, juntamenre dos cubos para sacar agua del pozó.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 6 de Novembre de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 13.

Se ha concluido el pozo de este Fuerte, lo que participo á V. S. pa. su inteligencia.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 6 de Novembre de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 14.

Remito á V. S. el padron delos verinos de este districto de mi caryo.

Diós guárde V. S. á múchos años. Fuerte San Estevan de Arkansas, 7 de Novembre de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 15.

Recibi lade V. S. de 1o. de Septiembre de 24 en que mi dice haver tomado posecion dela Intendencia de estas Provincias el 1o. Intendente de exercito D. Franco. Rendon.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 16 de Diziembre de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 16.

Hallandose vacante de Gefé de pequeña Medalla del tercero vilache de esta nacion Arkansas por muerte de Huatiroumonzis que la obtenia, y dos de Gola del segundo vilache, por fallecimientos de Zenomony, y Parimony, siendo necesario proveerlos en Indios de buenas costumbres y fidelidad á la Espana; propongo á V. S. para el de pequiña Medalla ál Gefé de Gola, Cozennopavais, y pa. los de Gola á Huahitaze, y Monzontifutes, por concurrir en ellos las circustancias qe. se requiere pa. estos empleos.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 20 Dre. de 1794. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 17.

Participo á V. S. en haver entregado á D. José Bougy, una livrama contra la contaduria de 100 pesos por la echura del pozo que á echo fabricar en este fuerte.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 26 de Diziembre de 1794. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 18.

Participo á V. S. como el soldo. José Anto. Nieto dela 1a. compa. del 2 batallon falleció en este puerto el dia 31 de Dizre. de 1794, lo que noticia á V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 5 de Enero de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 19.

Participo á V. S. de haver renganchado por ocho años mas á el Tambor de esta guarnicion Luis Bonantan, dela 3 del 2 á quien hedado 80 rs. de gratificacion lo que aviso á V. S. pa. su conocimiento.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 20 de Marzo de 1795. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 20.

Ha llegado á este puerto el soldo. de la 3 del 2 Tomas Lopez, en relevo del de la 7 de dho. José Anto. Nieto.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 20 de Marzo de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 21.

Quedo enterado de lo qe. V. S. me expone en la suya con fha. de 1 de Febrero po. po.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas 23 de Marzo de 1795. Carlos de Vilemont. Sor. Baron de Carondelet

No. 22.

Participo á V. S. haver recivido las tres patentes de los tres Gefes d nacion Arkansas, y de faltar las dos Golas, y medalla para sus divisas.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas 23 de Marzo de 1795. Carlos de Vilemont. Sor. Baron de Carondele

No. 23.

Participo á V. S. como estamos amenasados por algunos Chactas qe. deven venir en todo Agosto en el numero de 500 hombres para atacarnos, y desacer enteramente los vilaches de esta nacion de Arkansas. El disgusto que ellos han tenido dimande algunas riñas á puñitazos con los de esta nacion causado por qe. los Chactas violaron algunas de sus mugeres, á su salida de áqui rubaron ocho cavallos á diferentes abitantes.

Haviendo savido que los que hicieron estas amenazas permanecian parte de ellos en el Ouachitá he hallado ábien de escrivirla al comandante de dho. puerto D. Juan Vilhiol, sobre lo que le tengo referido á V. S. ygualmente que al Capn. de Granad. D. Juan de la Villeboeuf, lo que pongo á noticia de V. S. pa. su inteligencia.

Diós guárde á V. S. múchos años. Fuerte San Estevan de Arkansas, 28 de Junio de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 24.

En mi oficio No. 12, participé á V. S. come se necesitaba una drisa para el Asta de Bandera, una Cuerda, y dos balses para sacar agua del pozó á la presente nose han recivido, y hasen notable falta lo qui pongo á noticia á V. S. para su inteligencia.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 24 Julio, 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 25.

Quedo enterado del oficio de V. S. con fha. de 9 Junio, 1795, de lo que devo practicar sin fueran à tacado las Barrancas.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 24 Julio, 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 26.

Noticio á V. S. haver renganchado par ocho años mas al solo. de sta guarnicion José Marquez de la 6a. compa. del 20 batallon aquien e he hedado ochenta rs. de gratificacion.

Dios guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, Octubre de 1795. Carlos de Vilemont. Sor Baron de Carondelet.

No. 27.

Participo á V. S. como el solo. de la 3a. compa. del 1 batallon, Pareral Biriain fallecio en este puerto el 30 de Septiembre de 1795.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 3 e Octubre, 1795. Carlos de Vilemont. Sor. Baron de Corondelet.

No. 28.

Remito á V. S. el Padron de los verinos de este districto de mi. argo.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, Octubre de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 29.

Recivi el oficio de V. S. con fha. de 4 de Junio del Corriente, á el que he dado el devido cumplimiento segun V. S. me prescrive en la suya.

Diós guárde à V. S. múchos áños. Fuerte San Estevan de 4 de Octubre de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 30.

Participo á V. S. de fallar dos solds. para el completo de esta guarnicion, de Templazó de Manuel de Silva, 7 Pasq. Biriain, que ambos fallecieron en este Puerto.

Diós guárde á V. S. múchos áños. Fuerte San Estevan 5 de Octubre de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 31.

Recivi el oficio de V. S. con fha. 8 de Agosto en ql. medise V. S. lo que devo practicar en el caso de presentanse los Chactás.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas, 18 de Diz're de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 32.

Participo à V. S. de haver runganena de por 8 áños mas al solds. de la 4 company del 1 batallon Pedro la Cruz, á quien hedado 80 múchos de gratificacion.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 19 de Diz're de 1795. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 33.

Recivi el oficio de V. S. de fecha de 19 de Octubre de 1795, á el que, hedado el devido cunplimiento.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 29 de Febro. de 1796. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 34.

Segun el oficio de V. S. de 21 de Diz're de 1795 en el que medire V. S. de suminitrar al comandante de la Galera la Louisiana Don Juan Mentzinger lo que necesitare; devo decir á V. S. como el 25 de este á pasado en frente la enbocadura de este rivera; lo que prueva no haver necesitado de nado.

Diós guárde á V. S. múchos áños. Fuerte San Estevan, Arkanzas 29 Febrero de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 35.

Con igual fha. horecivido el oficio de V. S. en el que me dise V. S que siempre que los Ind. continuasen á robar cavallos á los abitante

podrian estos hacer fuego sobre ellos: Pero sin embargo me atengo á la posterior de V. S.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 19 de Marzo de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 36.

Concurriendo en este puerto, tantas naciones diferentes de Ind. siendo los excesos y robos que cometen á cada instante sin Femor alguno, por la poca guarnicion, y el quedar en esté, muy pocos hombres en tiempo de casa, como todos ellos son casadores; fuantamente lo arruinado de la artilleria, de los 3 canónes, hay dos montados, y estos estan lleno de escarabajo, el sido tan grande que sale el tiro por ellos, por ser muy viejos, y comidos todos de Roña; delosI pedreros solamente uno puede hacer fuego sin Tiesyo, á todo heró el estado indefensó de este Fuerte por allarse enteramente podrida toda la estacada que al menor impetu del viento caer á tierra, lo que participo á V. S. pa. su inteligencia.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 2 de Abril de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 37.

En lo que tengo referido á V. S. en mí oficio, No. 36, sobre la cituacion de este fuerte, y lo indefenzó que se alla por su total ruina.

Devo exponerle á V. S. que en el casó que seaya de nuevo, meparese que seria mejor retirarlo á dos harpanos mas adentro de donde se alla, por el continuo dibordo de la rivera sobre esta banda, para cuyo fin es menester derribar la casa del command. Guarsel, Almazen, y renovar algunas prezas que hay podridas en estos edificios. He echo juntar los que se allan mas aptos, y poder, para contraer la contrata siquiente—se obligan hacer la estacada del fho. Fuerte de sipre, labrada á quatro caras, de 1 pulgads. en quadro, 15 priz delargo dejandro 12 fuera de la tierra, y 3 dentro, un liston al rudor, y un clavo de ocho pulg. delargo en cada estaca, una banqueta al contorno, las dos esplanadas de los dos Baluartes. Ocho troneras, con surpuertar pa. dentro, y pasadores, una puerta grande, portillo, gonzes, y seraduras conpetentes, hasta de Bandera un pozo; obligandose pentamente hacer la fha. casa, quartel, y Almazen por el precio de 5—ps. Sera indispensable que V. S. me mande 4 cañones de á 4 con sus cureñas 13 pedreros de los quetiene los pernos de fierro, que sirven á levantar û bajar la apunteria por medio de sus abuferos—haciendose como selo espongo á V. S. sera una obra pa. múchos áños y el menos costoso á S. M.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas, 2 Abril de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 38.

En virtud del ofició de V. S. con fha. de 15 de Febrero de 1796, Devo exponerle à V. S. como haviendo mirado los recivos que existen en los Archivos de esta á favor de Pedro Nitar solamente, quedan Tiete de sus dendores, y de estos, tan solo dos han satisfecho á sus recivos, el

uno es de 118, y el otro de 5o. peros los qe. he entregado á Duchasen Bayonne, los cinco restante estan en la inposibilidad de poder satisfacer à sus dendas, por no tener Bienes, Raisez, ni Muebles, a la ora que se podra recoger alguna cosa se entregara al otro apoderado.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 3 de Abril de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 39.

No encontrando en este puerto nigun alivio á la enfermidad que padece el Cabo 2 de la 2 del so. Ano. Paulin he determinado remitirlo á hera Cap. pues ademas de su enfermidad se alla cunplido desde el 23 de Junio de 1795, lo que participo á V. S. para su conocimento.

Diós guárde à V. S. múchos áños. Fuerte San Estevan de Arkanzas 7 de Abril de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 40.

He dado cunplimiento al oficio de V. S. de fha. 12 de Febrero 1796, concerniente al Gran Gefe de esta nacion de Arkanzas Onapatrisay.

Diós guárde á V. S. mùchos áños. Fuerte San Estevan de Arkanzas 30 de Abril de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 41.

En virtud del oficio de V. S. de 28 de Abril de 1796. Devo informar à V. S. como despues de haver tomado á el Cabo, y los dos Solds. que se allaban Destacado en el mes de Marzo en la enbocadura de la Tila de la rivera Blanca las informaciones que V. S. me expresa, no he podido justificar haver cometido semejantes exeeos estos se relevan cada mes á su regresó á este el sany lo û yo, estamos presentes y nunca emos virto traer cosa alguna. Por lo que toca al Sany. que tengo á mi cargo, Digo á V. S. que nunca sea ausentado deste puerto pa. el otro Destao. ny otro parage alguno, este es el motivo porql. no lo mando à la Capl. como me lo dise V. S. en la suya. No dudo, y puede ser muy factible, que algunas personas suviendo en alguna piragua, hallandose necesitados de viveres hayan imbocado el nombre de Jany'so y Solds. pa. con mas facilidad loyrar loql. necesitaban, no existen mas en el Destac. que una Canon, y la tropa que ariva tengo mencionado. Tengo dada la orden de tratar con la mayor dulzura á los que pasan por el Destacto. y nunca meandado la menor queja varios proprietarios de enbarcaciones que han servido à este.

Diós guárde á V. S. mùchos áños. Fuerte San Estevan de Arkanzas 31 de Mayo de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 42.

Haviendo acaecido un fuerte ventaron, con el que Cayeron varios estacas de este fuerte, y otras quedaron proximos á lo mismo: en vista de ello dispuse que se conpusieran y remplazaran las caydas con cien estacas que ha subministrado Juan Bautista des Ruisseaux por 15, p.

de los quales le he despachado certificacion de credito contra nas fe. cajas: Loque participo à V. S. en cumplimento de su obligacion.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkanzas 10 de Junio de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

No. 43.

Participo á V. S. de pasar á esa Capl. átomar sus lizencias los dos solds. Alexandro Bridon de la 7a. del 1o. y tomas lopez de la 3a. del 2o. por haver llegado en sus relevos Luis Clemot, y Francisco Garzia ambos de la zea. del 1o.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas 3 de Junio de 1796. Carlos de Vilemont. Sor Baron de Carondelet.

Los Habitantes de este puesto dirigen al Ill'mo. Sor. bispo conmiconocimiento ponmano de su Cura Larro co, un memorial solicitando se les construya por cuenta de S. M. un templo donde puedan avirtir alos Divinos oficios con la decencia que estos requieren, y que pueda contener mayor numero personas que la reducida sala de la Cava del Sor. cura donde aora se Celebran, y Cúio coste por aviento, puede ascender segun me han imformado los que pueden emprender esta obra a, 1,600 pies lo que pongo en noticia de V. S. como debo.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan de Arkanzas 26 de Septiembre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 44.

He procurado conlamasnimia escrupulo sidad, indagan quales sean los qe. abordaron al chalan Americano, de que V. S. metrata en su oficios de 26, de Abril, y 6 de Julio de este año, y nada epodido descubrir, quemedo elmas minimo indicio, de que traian sido los soldados, y cavo que se hallan en el Destaca m'to dela rivera blanca, lo uno ponq. no combiener las senas de la piragua, y numero depersonas con los que se hallan en aquel Denacom'to y lo 2, por qe. jamas el Sarg'to hasalido de este Puerto, ademas qe. Creo fuera dificil se huviese Callado entretantos un vobo de esta naturaleza fuera de que no seme huviena oculrado laventa del sarril de harina qe. nopodian emplean en el citado destacam'to donde no hai honno, lo que me confirma en las rázones qe. exprese á V. S. en mi oficio No. 41, V. S. puede disponen lo que sea de suagrado en este particular.

Diós guárde á V. S. múchos ános. Fuerte de San Estevan de Arkanzas 25 de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 45.

Quedo enterado del oficio de V. S. de 1 de Julio en que me manda, no admita en estas rivéras otros colonos, quelos que precisamente se empleen en la agricultura, cuidando con particularidad de qe. los Americanos no se introduzcan en ellas con otro motivo, y acuya orden dare elmas devido cumplimento.

Diós guárde á V. S. múchos ános. Fuerte de San Estevan de Arkanzas 25 de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 46.

Haviendose presentado en este Puesto Antonio Glas de nacion Americano, con un pasaporte de Natchez, en que se le permitiá, venir a Cazan de estas riveras con una piragua cargada de mercancias, y 19 hombres, en conformidad y complimiento de la orden qe. en oficio dito. de Julio se sirve V. S. comunicarme lemandé se regresase alos Nogales de donde medijo haver partido, para cuio efecto reagi el pasaporte qe. traia de Natchez, y lediono para aquel Puesto; pero sin atencion amir prevenciones partio de aqui, y se introduxo por la rivera Blanca con su mercancias parte de sus remeros, y una partida de Indios Chactas. Luego que lo supe despache ensuseguimto. una Piragua, con orden detraerle pren a este puesto pero la mucha delantera qe. llevava, impidio pudiesen al canzanle antes de acavar sus vivenes la piragua que despaché. No he tomado el partido de embiar en su seguimto. cazadores portierra, estando mui persuadido de que no dejaria prenderse facilm'te y que hera conprometer con los Chactases a los demas cazadores blancos esparcidos por la rivera, y cuyo prudente partido espeno sea de la aprobacion de V. S. pudiendo disponer de la persona dedho Glas qe. seguramte. Regresará a Natchez, o Nogales, concluido sunegocio, y siantes lepuedo arrestar, lo remitire a disposicion de V. S. confiscando sus efectos, para qe. V. S. disponga de uno, y otro como halle mas conveniente.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven de Arkanzas, 29 de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 47.

Quedo enterado deltratado de Paz hecho entre S. M. y la Republica Francesa, qe. V. S. medirise en oficio de 2 de Julio, y queno Recivi en el oficio de 1 de Junio qe. V. S. mecita, cuyo tratado hize publicar a son de caxa con las formalidades ordinarias.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan de Arkanzas, 29 de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 48.

Quedo enterado, del oficio Reservado qe. V. S. me dirige con fha. de 16 de Setiembre, y puede V. S. estan muy, persuadido, de que vigilaré conel mayor crinero, no se introduzca en este Puesto, el nombrado Augusto la Chaise, ni alguno de sus partidarios, y en el caso, de aprehender alguno de ellos, lo remitiré acsa capital bien asegurado, imbentariando sus pape les como V. S. melo previene en el citado oficio.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 29 de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 49.

El Yngo. extraordinario Don Juan Ma. Perchet, en sirtud del Pasaporte de V. S. que meha presentado ha concluido las operaciones de qe. schallava en cargado en este Puesto, y levantado el Plano de el, qe. lleva consigo, delo qe. doi parte a V. S. como debo.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven de Arkansas, — de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 50.

Dirijo amanos de V. S. el Padron del año presente de 1796, hastafin de el con una noticia de las producciones de la agricultura en el mismo.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, — de Octubre de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 51.

He echo saber á estoj habitantes la orden de V. S. 12 de Octubre de '96. Provisiendoles el trato con las nasiones Chatas, Chicachas, y Crecs, en la Rivera occidental del Misisipi lo que notisio a V. S. para su conosimiento.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, 20 de D'bre. de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 52.

He puesto por obra el corte de las maderas para el fuerte por contrata echa al presipio que me priesenio V. S. en su oficio de 9 de Nobienbre de '96 por pareserme mas con beniete por la pronta execusion.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, 24 de D'bre, de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 53.

Antes de salir de esta el Yngo. Don Juan Ma. Perchet, me consulte conel, y haviendo lamayor pte. de la estacada de este fuerte todas podridas determinamos mandar cortar 1oo estacas para el Remplazo de las podridas, y caidas, el mismo Juan Baptista Dirusseaux melas asubministrado por el precio de 15 ps. delo qual he despachado certificacion de credito contra esas Re. Canas lo qe. participo a V. S. para su conocimiento.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 7 de Febrero de 1796. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 54.

Participo á V. S. demandar dos Libranzas, con una hesas reales caxas una a favor de Don Andres Fagot, delo subministrado á dos partidas de

Indios dela nacion Osages, que vinieron á este puesto en los meses de Julio y Septiembre de '96, cuya relacion incluio; y otra á favor de Franco. Hembos, de sops. por una piragua qe. he comprado para el servicio de la tropa destacada en la embocadura de la Rivera Blanca.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan de Arkansas, 8 de Marzo de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 55.

Recivi eloficio dé V. S. con fha. de 16 de Diziembre de 1796, lo qe. éecho publicar para conocimto. detodos los havitantes de este Puerto observare exactamte. lo que V. S. me prescrive en ello.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, 11 de Marzo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 56.

Participo á V. S. como toda la madera que V. S. me menciona ensu oficio con fha. de 9 de Nove. de 1796. Esta toda cortada; 50 lamente se aguarda la suvida desta Rivera para transportarla al parage de su destino, y en el caso de no subir la Rivera la conduciran en carreta, por ser ladistancia detres leguas lamas retirada, lo qe. noticio á V. S. para su determinacion.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, 14 de Marzo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 57.

Participo á V. S. de pasar a hesa capital para granaderos los soldados, Luis Clemot, y Diego Brito, por haverlos pedido el sangto. mayor del regimto. D. Juan Gautier.

Diós guárde á V. S. múchos años. Fuerte de San Esteven, de Arkansas, 14 de Marzo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 58.

Noticio á V. S. dehaver husado de licencia absoluta el soldado Franco. Casanova, por haverla recivido del sargto. mayor D. Juan Gautier.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, de Arkansas, 14 de Marzo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 59.

Participo á V. S. defaltar cinco soldados, y un cavo 2o. para el completo de esta guarnicion, por safar á esa capital dos soldados para Grana-

deros Luis Clemot, y Diego Brito, haver usado de licencia absoluta el cavo 2o. Antonio Paulir, y el soldado Franco. Casanova y el fallecimto. delos ds soldados Manuel de Silva y Pasqual Bircain, segun lohe participado a V. S. en mi oficio no. 30 cuyos retevos no los ham imbiados.

Diós guárde á V. S. múchos años. Fuerte de San Estevan de Arkansas, 14 de Marzo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 60.

He recivido eldia 3 de Abril de '97 del Sor. Govor. de Natchez el oficio siguiente. Al momento que vm. reciva esta, de orden del Sor. comandante general de estas provincias despachara un propio con la mayor diligencia posibles, para que contoda brevedad entregue la adjuntas al comandante de Nuevo Madrid, siendo de la mayor importancia para ese puesto el que no pierda un instanto. A el que hedado el devido complimiento embiando un propio el mismodia de su recivo, dandole ochenta pesos por suviase cuya Luranza he entregado á Baptista Dárdenne que es el interesado para que sea pagado por esas Reales Cajas Loque participo á V. S. para su inteligencia.

Diós guárde à V. S. múchos años. Fuerte de San Estevan de Arkansas, 24 de Abril de 1797. Carlos de Vilemont. Al Sor. de Baron de Carondelet.

No. 61.

En la primera ocasion oportuna los se senta y siete Pesos en Pelneria que he cobrado de Franco. Peltier, para entregar á Miguel Homu el siego, como medice V. S. en su oficio de 30 de Marzo de '97.

Diós guárde á V. S. múchos años. Fuerte de San Esteven de Arkansas, 26 de Abril de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 62.

Quedo enterado del oficio de V. S. de 30 de Marzo de '97, acerca de las certificaciones que participé á V. S. en mi oficio No. 54.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan de Arkansas, 2 de Mayo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 63.

En oficio de 5 de Marzo me comunica V. S. la venida á este Puesto del Capataz de Presidarios Franco. Rivas, para las obras de fortificacion deto do lo qe. quedo enterado y daré complimiento entodas suspartes.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan de Arkansas, 27 de Mayo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 64.

El 25 del presente mes ha llegado á este Puesto el Capataz Franco. Rivas, á bordo del Lanchon el Fuerte qe. viene á las ordenes del subte.

Don Rafael Croquen, y sique biage para Sn. Fearando delas Barancas. Por la misma ocasion he recivido las municiones, y Perorechos de Guerra, como asimismo los materiales, y erramientas de quebenia echo cargo dho privas, detodo lo que instruiran a V. S. mas pos extenso los adjuntos documentos.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 27 de Mayo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 65.

He recivido el oficio de V. S. de 5 de Marzo—en el que mepreviene V. S. retire el pequeño destacamto. que semantenia sobre el Rio, á cuya orden hedado el devido cumplimiento.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 27 de Mayo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 66.

La adjunta relacion instuira á V. S. de las maderas que se necésitan pa. las obras de fortificacion, y composicion de la casa que ocupo, las quales mehapedido Franco. Rivas, como asi mismo del Ympora de ellas. lo qe. participo á V. S. para su inteligencia.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 29 de Mayo de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 67.

Como algunas Piezas de las qe. forman las paredes del quartel, se hallan rompidas mandé á Franco. Rivas, fuese con dos carpinteros a reconozenlo, y me ha echo presente qe. para la conservacion dedho quartel es indispensable el componerlo, y para este efecto se necésitan las piezas de madera qe. reza la adjunta relacion, y he mandado cortar al precio que acontinuacion de ellas se expecifica lo qe. participo á V. S. para sudevido conocimiento.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 30 de Mayo de 1697. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 68.

Con esta fha. se an principiado las Rs. obras de fortificacion, y en virtud deque Franco. Rivas me ha echo presente sene cèntan para dhas obras seis Achas, 26 Palas, y 12 azadas, selas tengo pedidas Sor. Governador de la Plaza de Natchez Dn. Manuel Goyozo de Lemos, porno haverre podido encontrar en este Puerto. Todo loqe. participo à V. S. para su desido coconocimto.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, Arcansas, 5 de Junio de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 69.

El Capataz Franco. Rivas, me ha pedido lo que contiene la adjunta nota, y he de merecen de V. S. sesirva mandar se me remita en la primera ocasion oportuna.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 10 de Junio de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 70.

He recivido el oficio de V. S. de 12 de Ab. po. en el que me comunica el permiso que V. S. les a dado para establecerse conlos Arkansas ensus mismas Aldeas á el so de Wlayacabé Welyabé, con su hijo el hotabés y ebenecen fulsom, álos quales no pondré embarazo para ello como V. S. mepreviene enel mencionado oficio.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 10 de Junio de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 71.

Eldia 5 del presente mes álar tres déla tarde llego ala voca dela Rivera blanca Alexandro Murdok, y tres remenos en un vanio chato de su pertenencia cargado de 139. Barriles de Arina endho para qe havia mandado tres soldados para que quando besave algun arina pregun taven al amo de ellas, sila que sia venden y en este caso lo condugieren á este puesto para que me ablase, pues me ha llava bastante escaro de arina para el connimo dela guarnicion de mi cargo, y almismo tiempo mehevisto obligado á subministrar la necesaria para dos meses de viveres ála tripulacion del lanchon nombrado el fuerte que areguido viage para Sr. Fernando delas Barramcan. Por dhos soldados hesa vido que lamisma tarde que lego el re enido vanco chato el amo deél, les dio algunas barellas de Wisquis, arina partida de Indios Arkanzas (que ála sason salian de este puerto condireccion á el mencionado delas Barrancas) no obstante la prevencion que les avian écho los soldados para que por ningun motivo les diesen bevida por lo permiciosos qe. heran despues de hebrio. El dia sigte. estuvieron estos Indios abordo del vanco chato lapidieron al amo arina, este se lás dio, y cuando se hiban le roba non un barnilito delamisma bevida qe. tenia, y sefueron del barco. consetivamte. el amo lepidio á el soldado que se hallava ábordo súpiragua para suvir al puerto, este se la dio, y lediso qe. le condurenia el mismo para que no seperdiese enel camino, á esto le respondio qe. no hera necesario que les diese las señas por donde tenia de su bir qe. el se hiba con sur remenos, y que ledejava aru cuidado el bugue. No obstante las repetidas insinuaciones del soldado para que nosefueson todos, se embarcaron haviendo tomado el dinero que reniaro, y algunas mercancias. Femero sos delos Indios, por que cantavan, y gritavan como tienen costumbre, haviendo entrado en la rivera Blanco, mepresumo que estos como quenocosen el camino, y hay varias riveras, y branchas quedan enla blanca se anperdido por lo que tengo en cargado á varios cazadores que acaban de salir, que enel caso que los encuentren los pongan en camino ô sino habran tomado otra buclea, y han salido al Misisipi. Des-

pues de este aviso, y como quiera que los dueños no han parecido fomé la providencia dehaser conducir aqui la carga, y demas efectos que se encontrasen lo qual han executado, y quedan en mi poder los referidos 139. barriles de Arina, dos sortúes, un pañuelo deseda, y una casa vacia hasta qe. V. S. sesirva determinar lo que tenga por combeniente.

Diós guárde á V. S. múchos àños. Fuerte de San Estevan, Arkansas, 27 de Junio de 1797. Carlos de Vilemont. Sor. Baron Carondelet.

No. 72.

Remito á V. S. la adjunta relacion dela artilleria, y demas pertrechos de guerra que exsisten eneste puesto, con espicificacion del estado en que se halla, como melo preserive V. S. ensu oficio dell. de Mayo de 97.

Diós gúarde á V. S. múchos áños. Fuerte San Estevan, Arkansas, 10 de Agto. de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 73.

Daré el mas exacto cumplimto. al oficio de V. S. de fha. de 2 de Junio proximo pasado no permitiendo ningun tratante ni casador el mas minimo trato conla nacion Osage.

Diós gúarde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 10 de Agto. de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 74.

Haviendo echo compadezer antemi a Pedro Lefebre, para noticiarle lo que V. S. me previene ensu oficio de 3 de Junio de 97 sea obligado a satisfazer dha cantidad por fin de Dizre. de este año.

Diós gúarde á V. S. múchos áños. Fuerte de San Estevan, Arkansas 14 de Agto. de 1797. Carlos de Vilemont. Sor. Baron de Carondelet

No. 75.

Participo á V. S. haver comprado 100 minotes de Frigo para el establecimto. del huchiras á Varor de quatro Peros cada un minote los mismos qui han sido entregados al Marques de Mayson Rouge, ensacos bien acondicionados segun V. S. me previene ensu oficio de 7 de Junio d '97, haviendo visto eldho Marques lo intransitable del Camino para conducirlo por tiera, á resuelo llevarlo por aqua, hasta su establecimto.

Diós gúarde á V. S. múchos áños. Fuerte de San Estevan, Arkansas 28 de Agto. de 1697. Carlos de Vilemont. Sor. Baron de Carondele

No. 76.

He recivido el oficio de V. S. de fha. de 27 de Junio de año este co la adjunta correcion quesedeve haver álas familias Americanas que en se expresa.

Diós gúarde á V. S. múchos áños. Fuerte de San Estevan, Arkansa 28 de Agto. de 1797. Carlos de Vilemont. Sor. Baron de Carondele

No. 77.

Deviendo informar á V. S. dela solicitúd hecha por la Tropa de este Destacamto. segun V. S. me presierv en su oficio fha. de 20 de Julio de 797. Digo que heseguido el regimen dernir antecesones, sumenutrandoles treinta libras de arina, y dos de sal mensualmte. bien entondido que el ultimo dia de cada mes seles afuvra la cuenta, y seles carga el valor dedha vacion, y a quello que cada individuos al canza suminirtrandoles á varon de quarenta y imco reales almes selevabona ensumano para que condho al canze traten á los Indios lo que necesitan para sumantencion, por ser este el unico govierno que sepueden seguin pues es este un puerto queno hay can nozenia, fiendar, ni avitanteo que vendar minestras de ninguna calidad por ningun precio. A qui famas seles asocorrido con vacion de Armada porno aver al mazen del rey, ni guarda al macen para quelas suministre á loqe. meparese seria mui combeniente mediante el paresen de V. S. socorrer á esta guarnicion conladha vacion de Armada segun se lo suplican á V. S. sus individios. Pues con ella serian mas bien mantenidos, y con menos costo que el que haora tienen por aver ocanosines que por materia cuasi denada tratan viverer, y otras veres sepavan los meses sin poder conseguir ninguenos, y es este el motivo depasanse al gunas es cazeses lo queparticipo á V. S. para su determinacion.

Diós gúarde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Agto. de 1797. Carlos de Vilemont. Sor. Baron de Carondelet.

No. 78.

Participo á V. S. haver pasado á las reales Capas dela Nueva Orleans las Libranzas del Importe del Trigo que sea comprado para el establecimento del truchitas. Y una de quirne Peros por la mersencion de cinco hombres á Varon de quatro ar pardia, que binicron conel Marques de Maizon Rouge para conducir el dho Trigo asu destinó.

Dió guárde á V. S. múchos áños. Fuerto San Estevan de Arkansas, 3 de Octubre de 1797. Carlos de Vilemont. Al Sor. Baron de Carondelet.

No. 79.

Pasa á esa capital á incorporarse al cuerpo el Sang. 2 dela Sa. del 2 Anto. Gallegos, con motivo haver accendid á esta Claso.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 12 de Octubre de 1797. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 80.

Participo á V. S. de traven fallecido eneste. Puesto eldia gratro delnes dela. fha el Soldado dela Tercera del 2 Fra. Gorv.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 9 de Noviembre de 1797. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 81.

Remito á V. S. el Padron delos Abitantes de este puesto, por fin de Dizre. de este año.

Diós guárde á V. S. múchos áños. Fuerte San Estevan, de Arkansas, 14 de Noviembre de 1797. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 82.

Remito à V. S. el ynventario y estimasion de los biene del Difunto Capn. Dn. Josef Valliere los que quedan enpoder de su viuda da. Maneta felicitar de Merant segun V. S. me prescribe en la suya fha. 15 de Febre. 1797. Fuerte San Estevan de Arkansas, 30 de Enero de 1798.

No. 83.

Con motivo de haverse finalisado los trabajos de este fuerte pasa â esa capital el sobres tanté de obras Francisco de Rivas con el que remito las listas relasiones y demas documentos pertenesientes ā la reedificasion del mencionado—lo que participo â V. S. para su conocimiento.

Diós guárde á V. S. muchos áños. Fuerte San Estevan de Arkansas, 27 de Febrero de 1798. Al Sor. Don Manuel Gayoso de Lemos.

No. 84.

Participo à V. S. de pasar â las Reales Casas de la Nueva Orleans seis libronsas por el ymporte de las Maderas que se hanfornido para este fuerte y una por lo subminitrado al Gran Gefe de la nacion Chicacha Wualayacabé que havenido â este puesto con una partida suya.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 27 de Febrero de 1798. Al Sor. Don Manuel Gayoso de Lemos.

No. 85.

Participa â V. S. de estar la Bandera de este fuerte tan sumamente pasada y podrida que al menor ympetu de viento se caen los pedasos â tierra.

Diós guárde á V. S. múchos áños. Fuerte San Estevan de Arkansas, 27 de Febrero de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 86.

Participo á V. S. de embiar á esa Capt. al Soldado Manl. Marcos respecto hallarse ynposibilitado haser el servicio por su enfirmedad, y no encontrar en este puerto remedio para sus malos.

Diós guárde á V. S. múchos áños. Fuerte San Estevon de Arkansas, 13 de Marzo de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 87.

Je me conformerai au contenu de ceque vous me mandez par votre lettre du 23 Janvier dernier concernant Mons. de la Jonchere fils, et les nommes Dusis Montbrun et Henri Plancet tous sont connus dufrime de duil.

Dieu vous aie en sa Sainte Garde au fort de St. Etienne, des Arkansas, de 24 Mars, 1798. Carlos de Vilemont. Mons. le Governeur General.

No. 88.

Para dar cunplimiento al oficio de V. S. de 13 Enero de '98. He echo concurrir Antoney á Juan Bautista Duscchien, habitante de este puerto á el que le amoneste, y le interogué, que de orden de V. S. se uniera per el sacrámento del matrimonio para evitar los escandalos del puerto el que se obligó y otorgó de haserlo imediatamente. Juan Bautis Daigile, se unio por el sacramento del matrimonio trantes de reciver la de V. S.

Diós guárde á V. S. muchos áños. Fuerte San Estevan, Arkansas, 23 de Marzo de 1798. Carlos D. Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 89.

Recibi el officio de V. S. de 25 de Enero de '98, con el adpurto rl. indulto.

Dios guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 23 de Marzo de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 90.

Participio V. S. haver reenganchado per 8 anos mas ael soldado de la 3 del 1 Fran. Ismeney, que se hallaba cunplido del dia 13 de Aprilo de 796. Y haver recivido 8 de gratificacion.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 23 de Marzo, de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 91.

Remito con Don Josef Bauf los 77 pesos en peltreria para entregar á Miguel Homu el Ciego como el anterior de V. S. melomandó en su oficio de 30 de Marzo, de 1797, por lo que le devia Francisco Peltie lotro Miguel Homu.

Diós guárde á V. S. múchos áños. Fuerte San Estevan, de Arkansas, e 23 de Marzo, de 1798. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 92.

Luis Jardelas, vecino de este puesto mea entregado un memorial en el que le suplica y pide á V. S. el permiso para tratar en la rivera con

los casadores de esta imediacion. A lo ql. devo informar á V. S. que para cortar los abusos, y malos tratos introduisdos en ella por varios, que con el nombre de casadores peosan el permiso para casar en ella, y álo que hiban, hera arocoge la peleteria que tenian prevenida los otros. casadores para el payo delos comerciantes de este Puesto que les adelentaban los que mesistaban pa. sus canpanas, y haviendose savido que está hera uno de los ql. husabo de este abuso. Sobre lo que han echo todos los tratantes de este puesto un convenio segun V. S. podra interarse por la adjunta copia que remito á V. S.

Diós guárde á V. S. múchos áños. Fuerte San Estevan, de Arkansas, 31 de Marzo de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 93.

Recibi el oficio de V. S. con fha. de 24 de Abril de 1798, al qué no hepodido dar el devido cumplimiento por no encontrarse en este puesto algunos de los tratantes ni ningunos de los casadores espero el regreso de estos para comunicarles la orden de V. S.

Diós guárde á V. S. múchos áños. Fuerte San Estevan, de Arkansas, 15 de Junio de 1798. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 94.

Participo â V. S. haverle dado el permisa â Luis Tardelat para subir â la casa segun V. S. memanda en su oficio de 24 de Abril, de 1798.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 15 de Junio, de 1798. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 95.

Daré el devido cumplimiento al oficio de V. S. con fha. de 14 de Abril, de 1798.

Diós guárde á V. S. múchos ános. Fuerte de San Estevan, de Arkansas, 15 de Junio, de 1798. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 96.

Para sar cumplimento al oficio de V. S. con fha. de 24 de Abril, de 1798, hisé juntas á todos los tratantes, y casadores de este puerto, y se eligieron dos de cada clasi, estos impreseron las penas sigientes á lo que contravinieren, a los ordenes que en el se contrenen. Primeramente que el casador que llevare algunos Generos ô Comestibles con l miva de tratarlos en la vivera, sufrira la pena de un mes de prision, y 2 p. de multa, y el comerciante que huvien dado las mercanisas pa. trato las por su cuinta, la de 3 meses de prision y 500 p. de multa. Enelcas que el casador nodeva al mercante por quien aya sido equipado mas qu cier peros, y trayga el otro. Casador por 300 cientos: no podra el otr

mercante tomar mas que los 100 p. que le deva defando lo restante pa. payar las deudas antiguas, y à los contraventores se lesimpone la pena que arriba se mensiona tiendo la obligasion del Tratante el Delatarlo pa. quedar él, a la vórigo, y dedar pàrte á el Comte. de la Cantidad que le aya restado para que este aya satisfaser las deudas atrasadas por su antiguedad. El casador que safan escondidos en el monte algunos efectos selos ql. trayga pa. satisfacer su equipador sufrira la pena mensionada pa. el càsador. Lo que ponyo á noticia de V. S. pa. su determinaicion.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, de 15 de Novembre, de 1798. Carlos de Vilemont. Al Sor. Don Manuel Gayoso de Lemos.

No. 97.

Hé echo conpárecer antemy á Ebenazar Fulsom, el que confero, y reconocio ser legitima ladeuda que expresa el vale ql. V. S. meo remitido en la suya con fha. de 20 de Agosto, de 1798. Y por no tener á la presente mas bienes que las deudas que tiene contraido con los Ind. sea obligado á remitir por el á poderado de Dn Juan Rhea, le. lo es Carlos Befeto, la cantidad de 200 ps. y lo restante lo hira remitiendo, conformi lo baya recopindo de los Inds. Al mismo le intime de orden de V. S. el modo que havia de tener, de conportasre y conformarse con las regleas establecidas en este puesto pues de lo contrario lo han salir de el. Vigilare con el mas exacto cuydado que niguno sagur cavallos de este puesto pa. llevar, nitraficar con el Amiricano.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 20 de Noviembre, de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 98.

Remito á V. S. el padron delos habitantes de este puesto por fin de Dizre. de este año.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, de Arkansas, 31 de Dizre., de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 99.

Remito á V. S. la adjunta relaison dela artilleria y demas pertrechos de guerra que exister en este puerto, conespicificasion del estado en que se halla.

Diós guárde á V. S. múchos ános. Fuerte San Estevan, de Arkansas, 31 de Dizre., de 1798. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 100.

Pasa á hera Capl. el Solo. Tudro ortega por allarse enformo de dolores, y carecer en este puesto de remidios pa. su enfermedad.

Diós guárde á V. S. múchos ános. Fuerte de San Estevan, de Ar-

kansas, 15 de Enero, de 1799. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 101.

Participo á V. S. como una partida grande de la nation Osage á benido sobre esta rivera, la que se devidio en tres, la primera encontro á quatro casadores de este puesto, les quitaron dos carbines, sus mantas Polvoro Balas, y demas efectos qe. teniar pa. he huso, la segunda robo á diferentes cazadores del mismo trienta y cinco cavallos, y la terzera mato á un Jendo dela nation Abinaqui; todo lo que communico á V. S. pa. su intelixencia.

Diós guárde á V. S. múchos ànos. Fuerte de San Estevan, Arkansas, 20 de Abril, de 1793. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 102.

Acabo de saver como una partida de siste hombres de la nation Chicachas han matado à una muyer Osage, hasiva dela Rivera Blanca en la furcha colorada lo qe. participo á V. S. pa. su conocimiento.

Dios guárde á V. S múchos áños. Puerte de San Estevan, de Arkansas, 20 de Abril, de 1799. Carlos de Vilemont. Sor. Don Manuel Gayoso de Lemos.

No. 103.

Pasa á esa capital el gran-gefe de esta nacion Arkansas, Cozu-Nonpues, companãdo de su segundo Uguies-Hyagedis, con veinte y dos de sus guereros para verle, dar la man y saver de V. S. su determinacion de lo que deven hacer con la nacion Osage los que se enquentran agraviados con la otro nacion por haver sido á sacados de ellos, y haver hevido á un sobrino del otro gran gefe el año pasado.

Suplican á V. S. se sirva sico posible darles un armero payado por el Roy, para la conpociciones de sus harmas, por el motivo si llegan aser atacados por alguna nacion la mayor parte de ellos las tienen desconpuerta, y no tener posible para payar las compociciones de sus armas.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, Arkansas, 20 de Abril de 1799. Carlos de Vilemont. Sor. Don Manuel Gayozo de Lemos.

No. 104.

Dare el mas exacto complimiento á los oficios a V. S. a 20 de Febrero de 1799, y el de 4 de Abril del mismo.

Diós guárde á V. S. múchos áños. Fuerte de San Esteven, Arkansas, 31 de Mayo de 1799. Carlos de Vilemont. Sor. Don Manuel Gayozo de Lemos.

No. 105.

Participo á V. S. dehaver renganchado por 8 años mas á el sold de erta guarnicion Francisco Martinez, dela 1a. del 1o. y a José Argue.les dela 2a. de Id. á losque les hedado 80 rs. de gratificacion.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Mayo de 1799. Carlos de Vilemont. Sor. Dn. M. Gayozo de Lemos.

No. 106.

Las repetidas lamentaisones, llantos, y suspiros de todos los casadores de este puesto me mueven á darle parte á V. S. que todos los qe. aqui se presentan despuis de haver recivido alguno agravio, daño ô bien que les aygan robado sus interesa los Osages ; vienen diciendo que ellos propios les dicen quel el motivo de obrar tan mal con los blancos es porque quieren tener un tratante de este puesto para que este obtenga la treta con ellos, y que mientras no comigan este intento qe. no pienu ningun Blanco en qir á testa ribera á la Caza. Losquel aquantos vean, y puedan pillar á todos les robarán quanto tenyan, y quitaran las vidas, por lo que quisiera mereser de V. S. le permitiose la otra treta ál F. de T. por considerarle mui capas para ello, y en contraria con bastante fondo para sostener otra treta, y averle la misma nacion pedido para tratas con ellos. De este permiso se conseg̃uira la tranquilidad y tossego de estos miserablos casadores, y elque puedan pagar sus creditos, de lo contrario no podran jamas satisfacerlas, perquel parten para ir á lo caza unas veses les quitan sur equipamentos sin llegar á sus acampamentos, y otras occasiones despues de sacrificar sus vidas pa. recoger algunos efectos pa. satisfacer sus deudas, y quando mas descuydados se allar se presenta una partida de Indios, les quitan quanto tienen : Pras se averificado el defar algunos de ellos hasta sin camisa, con tan solo un bragruro para cubrir sus partes. Si entodo caró puere de la aprobacion a V. S. esta mi representacion sera menester ql. V. S. permita fabricar un Almazen en donde tener sus intereses asegurados á distanisa de 200 cientas leguas de este puesto en el parafe nombrado la praderia San Bois, que es el estio mas considerable para el otro efecto, y mas oportuno para quel la nacion no interrumpa á los casadores quel casan hasta otra distanisa.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 18 de Junio de 1799. Carlos de Vilemont. Sor. M. G. de Lemos.

No. 107.

Para á esa Capital los dos Gefes, de medalla Fas-con-guidisguides herapebequi, y el de gola opor de esta nacion Arkansas ácompañado con 30 de sus guerreros para verle, y dar la mano á V. S. funtamente á suplicarle quel les de V. S. un armero perquel se allar todos con las armas imposibilitado de servirse de ellos, esperan con anisas de quel V. S. les consigue esta gracia loquel participo á V. S. para su inteligencia.

Diós guarde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 20 de Agosto de 1799. Carlos de Vilemont. Sor. M. G. de Lemos.

No. 109.

Participo á V. S. de haverse desertade de esta guarnicion el dia 23 de Julio de 1799 el soldo. de la 4a. compagna del 1or batallon. Pedro Lacruz.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 27 de Julio de 1799. Carlos de Vilemont. Sor. M. G. de Lemos.

No. 108.

Acaba de llegar á este puesto Pancipalaby, de la nacion Chatas, Gefe de la medalla Espanole, solicita este que V. S. le permite de establecerse en el bayu de la Salina que esta ádos dias de camino de este puesto, para este fin me entreyo una carta para que sela remitó a V. S. el duo que esta bleciendose en el paraye que tenyo referido que impidira á los a su nacion quel van y bienen ayan ningun perjuisio á los abitantes de este puesto lo quel participo á V. S. para su determinacion.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 20 de Agosto de 1799. Carlos de Vilemont. Sor. Don Manuel Gayozo de Lemos.

No. 110.

Daré el mas exacto complimiento al oficio de V. S. con fha. de 8 de Febrero de 1799.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 18 de Febrero de 1799. Carlos de Vilemont. Sor. Don Francisco Bouligné.

No. 111.

Participo á V. S. que el dia 22 del mes de Noviembre de 1799, como una partida de 35 hombres de la nacion Osages, atacaron, á 6 casadores blancos que estaban carando en las orillas de esta rivera á la distancia de 150 leguas de otro. puesto a los quales mataron á 3 de los casadores, tiendo obligado los otros 3 para libertar su vida á escaparse an otra niguna cosa mas ql. lo ql. tenian en lima de su guerpo. Como ygulmente otras diferentes partidas de la misma nacion han hido reconniendo todas laorillas de la exprecada rivera, robando á todas quantos casadores han encontrado por ellas.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 4 de Diciembre de 1799. Carlos de Vilemont. Sor. Don Nicolas Maria Vidal.

No. 112.

Remito á V. S. el padron de los abitantes de este puesto pd. fin de Diciembre de este año.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Diciembre de 1799. Carlos de Vilemont. Sor. Don Nicolas Maria Vidal.

No. 113.

Noticio á V. S. de haverse encontrado una partida de Indios de la nacion Chastas con otra de la nacion Osages los que se han batido algun repaiso de tiempo matando la primera á dos de los Osages y estos á 4 de los Chastas.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 7 de Enero de 1800. Carlos de Vilemont. Sor. Don Nicolas Maria Vidal.

No. 114.

Los mercantes de este puesto, Don Franco. Vaugine, Don Franco. Valier, Pedro le Fevre, y Carlos Refeld, remiten un memorial á V. S. en el ql. exponen, y piden ser conveniente el trato con las naciones de Indios Chastas, Chicachas, y Talapuches. A lo ql. devo informar a V. S. lo contrario por ql. los habitantes de este quel cultivan la tierra estan expuesto continuamente á un precipicio pr. estas naciones para no pueden conservar niguno de los frutos esten ella poner ni los riveres ql. tienen en sus casas ni niguno de sus animalas, los lav. los roban el banero y el de cerdo los matan esta defendido. El trato con las otro. naciones por el antecreor de V. S. Don Manuel Gayoso de Lemos, entimarcone inise observar esta orden contodo rigor lo ql. participo á V. S. para su inteligencia y determinacion.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 17 de Febrero de 1800. Carlos de Vilemont. Sor. Don Nicholas Maria Vidal.

No. 115.

Remito á V. S. el padron de los abitantes de este puesto por fin de Diciembre de este año.

Diós guárde á V. S. múchos áños. Fuerte eu San Estevan, Arkansas, 31 de Diciembre de 1800. Carlos de Vilemont. Al Sor. Don Nicolas Maria Vidal.

No. 116.

Con esta fha. á caban de llegar una partida de Chastas, que disen que han tenido un conbate con los de la naison Osages, y que estos les han muerto cirsa hombres, y elles á los Osages dos. Todo lo ql. participo á V. S. para su inteligencia.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Marzo de 1801. Carlos de Vilemont. Al Sor. Don Nicolas Maria Vidal.

No. 117.

Participo á V. S. como Levi Pery, mortiso Chicachas me ha pedido permiso para estableserse en el parasse llamado la Petitte Praderia distante 29 leguas de este puesto sobre la osila del Misisipi, para desde alli impedir que los Indios de otra naison roben los cavallos, y maten el ganas vacuno de los abitantes de este puerso ô qui cometan qualquiera otro exesso, quiere estableserse el solo con su familia. Espero la resolucion a V. S. sobre este particular.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 25 de Octubre de 1801. Carlos de Vilemont. Al Sor. Don Nicolas Maria Vidal.

No. 118.

Yncluyo á V. S. la adjunta relacion de la artilleria, y demas pertrechos de guerra ql. existen en este puesto con espiscificacion del estado en que se alla.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Diziembre de 1801. Carlos de Vilemont. Al Sor. Don Manuel de Salcedo.

No. 119.

Remito á V. S. el padron de los habitantes de este pueste para fin de Diziembre de este año.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 31 de Diziembre de 1801. Carlos de Vilemont. Al Sor. Don Manuel de Salcedo.

No. 120.

Participo á V. S. como los Indios de la nacion Osages an matado al casador de este Miguel Petie, bajando este por la rivera de Arkansas, adistanisa de 150 leguas de este puesto.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 5 de Febreo de 1802. Carlos de Vilemont. Sol. Don Manuel de Salcedo.

No. 121.

Participo á V. S. de bajar para esa capital el totol. de la 3d. del 2o. Juan Larguer por allarse cumplido desde el 12 de Mayo de 1796, y Pron Garittalle, de la 4a. de 12o. desde el 9 de Enero, de 1796, losquel han sol. estado el bajar para pedir subscencia.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 5 de Febrero de 1802. Corlos de Vilemont. Sor. Don Manuel de Salcedo.

No. 122.

Participo á V. S. de haver fallcesdo en este puesto el solds. de la 8a compagna del 1o batallon, Francisco Gania el dia 24 de Junio po. po.

Diós guárde á V. S. múchos áños. Fuerte de San Estevan, Arkansas, 27 de Junio de 1802. Carlos de Vilemont. Al Don Manuel de Salcedo.

State of Louisiana, *parish of Orleans:*

Louis Bouligny being duly sworn, deposes that he was well acquainted, during many years, with the late Carlos de Vilemont, who was deponent's uncle. He was, from 1794 to 1802, commandant of Arkansas. The letter-book to which this affidavit is annexed, contains Vilemont's official correspondence with the Governors of Louisiana. All the commandants of posts were required to keep copies of their official letters in such a book, and to number them. The numbers in the said book are continuous from 1 to 122; there is none wanting, and the letters, which are all dated, extend from the 12th of July, 1794, to the 27th of June, 1802. The title of this book, "Libro de Corespondencia con el Sr.

Gobernador," is in Vilemont's hand-writing, with which deponent is perfectly acquainted. The letters numbered from 43 to 85, and Nos. 91, 93, 94, and 95, are in a hand-writing which deponent does not know, but all the other letters are entirely in the hand-writing of the said Carlos de Vilemont. Deponent has seen Vilemont frequently write, particularly when he came to New Orleans in 1802, and afterwards, and has corresponded with him.

L. BOULIGNY.

Sworn to and subscribed before me,

EDWARD RAWLE,
Judge of the City Court.

NEW ORLEANS, *December* 27, 1836.

Translated extracts from a letter-book entitled "Book of Correspondence with the Governor."

Letter No. 1.

I communicate to your lordship that I arrived at this post without accident on the 11th instant, and that I have forthwith taken possession of the political and military command of this fort and its district, which your lordship has been pleased to intrust to me.

God protect your lordship. Fort of St. Stephen, Arkansas, 12th July, 1794. Carlos de Vilemont. To the Baron de Carondelet.

No. 10.

I communicate to your lordship that it is impossible to prevent the Chickasaws from stealing the horses of the inhabitants and killing their cattle, although I have spoken to and reprimanded them; which I submit to your lordship for your information.

God preserve your lordship. Fort of St. Stephen, Arkansas, 7th September, 1794. Carlos de Vilemont. To the Baron de Carondelet.

No. 23.

I communicate to your lordship that it is threatened by some Choctaws that they will come next August with 500 warriors to attack us, and entirely to destroy the villages of the Arkansas. This difficulty arises from some quarrels and fights they have had with the said nation, because the Choctaws have violated some of their women. When they left here, they stole eight horses from different inhabitants.

Having been informed that some of those who made these threats lived in Washita, I thought proper to write to the commandant of the said post, Dn. Juan Filhiol, and to refer him to your lordship, as well as to the captain of grenadiers, Don Juan de la Villebouef; which I submit to your lordship for your information.

God preserve your lordship. Fort St. Stephen, Arkansas, 28th June, 1795. Carlos de Vilemont. To the Baron de Carondelet.

No. 31.

I have received your lordship's order dated the 8th of August, in which your lordship directs what I am to do, in case the Choctaws should present themselves here.

God protect your lordship. Fort of St. Stephen, Arkansas, 18th December, 1795. Carlos de Vilemont. To the Baron de Carondelet.

No. 35.

Under the same date I have received your lordship's order, in which you tell me that, if the Indians continue to steal the horses of the inhabitants, they may fire at them; nevertheless I shall observe your order of later date.

God protect your lordship. Fort of St. Stephen, Arkansas, 19th March, 1796. Carlos de Vilemont. To the Baron de Carondelet.

No. 36.

So many nations of Indians meet in this post, every moment they commit excesses and thefts, without any fear, on account of the weakness of the garrison, and because but few men remain in it during hunting-time —*for they are all hunters*. The artillery is in a ruinous condition; of the three cannons, two are mounted, and those are full of holes and irregularities, (escarabajo,) and the touch-hole is so large that the charge comes through it; for they are very old and entirely eaten up by rust. Of the seven swivels only one can be fired without danger. The fort is in a defenceless state, for the palisades are so rotten that the least wind throws them to the ground; which I submit to your lordship for your information.

God protect your lordship. Fort of St. Stephen, Arkansas, 2d of April, 1796. Carlos de Vilemont. To the Baron de Carondelet.

No. 37.

Extract.—It is indispensable that your lordship should send me four 4-pounders with their carriages, and 13 swivels with iron pins.

No. 42.

Extract.—A strong wind having blown down a number of palisades of this fort, and others being near falling, I have ordered those that had fallen down to be replaced by 100 new ones, &c.

No. 65.

I have received your lordship's order of the 5th of March, by which you direct me to withdraw the small detachment which was kept on the river; to which order I have given due execution.

God protect your lordship. Fort of St. Stephen, Arkansas, May 27th, 1797. Carlos de Vilemont. To the Baron de Carondelet.

No. 101.

I communicate to your lordship that a great number of Osages have come to this river, where they divided themselves into three parties. The first of them met four hunters of this post, from whom they took two rifles, their blankets, powder, balls, and other effects which they had with them for their use; the second stole from different hunters of this post 35 horses; the third killed an Indian of the Abenaqui nation; all of which I submit to your lordship for your information.

God protect your lordship. Fort of St. Stephen, Arkansas, April 20th, 1799. Carlos de Vilemont. To Don Manuel Gayoso de Lemos.

No. 102.

I have just been informed that a party of 7 Chickasaws have killed a woman of the Osage nation, above White river, on the red fork.

God protect your lordship. Fort St. Stephen, Arkansas, April 20th, 1799. Carlos de Vilemont. To Don Manuel Gayoso de Lemos.

No. 103.

The great chief of the Arkansas, Cozei Nonpues, is going to the capital with the second chief, Uguies Hyagedis, and twenty-two of his warriors, to see your lordship, shake hands with you, and know your determination concerning what they ought to do with the Osages, against whom they are exasperated; having been attacked by them last year, and a nephew of the said great chief having been killed by them.

They supplicate your lordship to send them, if possible, a gunsmith paid by the king, to put their arms in order; because, if they should be attacked by some nation, most of their arms are out of order, and they have not the means to pay for having them repaired.

God protect your lordship. Fort St. Stephen, Arkansas, April 20th, 1799. Carlos de Vilemont. To Don Manuel Gayoso de Lemos.

No. 106.

The frequent complaints of all the hunters of this post, induce me to inform your lordship that all those who present themselves after having received some injury from or been robbed by the Osages, say that they (the Osages) say themselves that the reason why they treat the whites so badly is because they wish to have a trader in this post, privileged to trade with them, and unless they do obtain this, no white man ought to think of going hunting on this river, for they will rob and kill all those they meet, for which reason I request your lordship to grant this permission to trade to F. de T., whom I consider fit for it and who has also the necessary means, and has been demanded by the said nation themselves for their trader. This permission will secure the tranquillity and safety of these unfortunate hunters, and enable them to pay their debts, which otherwise would be impossible to them. For, at times they go hunting and all their equipment is taken from them before they reach their camps; at other times, after having exposed their lives and having acquired some-

thing to pay their debts, and when they least suspect it, they are met by a party of Indians who take every thing away from them; for it has happened that some of them were left without a shirt and with only a rag to cover their parts. If my present proposition meets the approbation of your lordship, it will be necessary that your lordship should permit a warehouse to be built, where they can secure their property, at the distance of 200 leagues from this post, at the place called "Prairie sans bois," which is the most convenient site for this purpose, and most appropriate, that the nation may not interrupt the hunters who go as far as that distance.

God protect your lordship. Fort of St. Stephen, June 18th, 1799. Carlos de Vilemont. To Don Manuel Gayoso de Lemos.

No. 108.

Pancipalaby, a Choctaw chief of the Spanish medal, has arrived at this post, and requests that your lordship may permit him to establish himself at Saline bayou, at two days' distance from this post, for which purpose he has handed me a letter, which I send to your lordship. He says that if he establishes himself at that place, he will prevent the people of his nation from doing any injury to the inhabitants of this post; which I communicate to your lordship for your information.

God protect your lordship. Fort St. Stephen, Arkansas, August 20, 1799. Carlos de Vilemont. To Don Manuel Gayoso de Lemos.

No. 111.

I inform your lordship that, on the 22d of November, 1799, a party of about thirty-five Osages attacked six white hunters, who were hunting on the banks of this river, at about 150 leagues from this post. They killed three of the hunters; the other three, to save their lives, had to fly, losing every thing except what they had on their bodies. Other parties of the same nation have also been visiting the whole banks of this river, and have robbed every hunter they met.

God preserve your lordship. Fort of St. Stephen, Arkansas, December 4, 1799. Carlos de Vilemont. To Don Nicolas Maria Vidal.

No. 113.

I inform your lordship that a party of Choctaws has met a party of Osages. They fought for some time, the former killing two of the Osages and the latter four of the Choctaws.

God preserve your lordship. Fort St. Stephen, Arkansas, January 7, 1800. Carlos de Vilemont. To Don Nicolas Maria Vidal.

No. 114.

The merchants of this place, *Dn. Franco. Vaugine*, Dn. Franco. Valier, Pedro le Fevre, and Charles Refeld, send a petition to your lordship, in which they pray for the trade of the Choctaws, Chickasaws, and Talapuches nations. I must, however, express an opinion adverse to their request, for *the inhabitants of this post who cultivate the land, are constantly exposed to ruin by these nations, for they can preserve neither what they raise in the ground, nor the provisions they have in their*

houses, nor their animals ; they steal their horses and kill their cattle and hogs. The trade with these nations was prohibited by your predecessor Dn. Manuel Gayoso de Lemos, who directed me strictly to enforce that order ; which I submit to your lordship for your information and decision.

God preserve your lordship. February 17, 1800. Carlos de Vilemont.

No. 116.

To-day a party of Choctaws have arrived, who state that they have had a battle with the Osages, who killed five of their men, they having killed two of the Osages ; all of which I submit for your information.

God protect your lordship. Fort of St. Stephen, Arkansas, March 31, 1801. Carlos de Vilemont. To Don Nicolas Maria Vidal.

No. 120.

I communicate to your lordship that the Osages have killed Miguel Petie, a hunter of this post, who was coming down the river Arkansas, at the distance of 150 leagues from this post.

God preserve your lordship. Fort of St. Stephen, Arkansas, February 5, 1802. Carlos de Vilemont. To Don Manuel de Salcedo.

No. 117.

I communicate to your excellency that Levy Pery, a Chickasaw half-breed, has requested my permission to establish himself at a place called "Petite prairie," at the distance of about 29 leagues from this post, on the banks of the Mississippi, in order to prevent the Indians of the said nation from stealing the horses and killing the cattle of the inhabitants of this post, against whom they commit all kinds of excesses. He wishes to establish himself there only with his family. I request the decision of your lordship on this subject.

God preserve your lordship many years. Fort of St. Stephen, Arkansas, October 25, 1801. Carlos de Vilemont. To Don Nicolas Maria Vidal.

Felix Grima being duly sworn, deposes that he has compared the foregoing translated extracts from letters written by Carlos de Vilemont, the commandant of Arkansas, to the Spanish Governors of Louisiana, from the year 1794 to 1802, with the originals contained in a letter-book having written on its cover the following title, "Libro de Corespondencia con el Sr. Gobernador," and to which an affidavit is annexed by Louis Bouligny, Esq., showing that it is the blotter of the official correspondence of the said Carlos de Vilemont with the Governors of Louisiana, during the time he was in command of the post of Arkansas. Deponent further says that the said extracts numbered 1, 10, 23, 31, 35, 36, 37, 42, 65, 101, 102, 103, 106, 108, 111, 113, 114, 116, 120, and 117, are correct and faithful translations of the whole or of part of the letters contained in the said book bearing the same numbers. F. GRIMA.

Sworn to and subscribed before me at New Orleans, December 29, 1836.

EDWARD RAWLE,
Judge of the city court.

LETTERS FROM THE GOVERNORS OF LOUISIANA,

IN ANSWER TO VILEMONT'S COMMUNICATIONS.

Nouvelle Orleans, *Mars* 6, 1796.

Je vous remets ci-joint, Monsieur, une lettre de M. de Blanc, ci-devant commandant des Natchitoches, par laqu'elle il vous mande sans doute qu'il ne peut se rendre au rendezvous que vous lui avez indiqué, parceque les Cadaux et les autres nations circonvoisines refusent de faire la paix avec les Osages, en consequence vous vous y rendrez seulement avec les Arkansas; nonobstant j'espere que le nouveau commandant, Don Felis Trudeau, parviendra a les ramener à la saine politique et à leur intêrest qui exigent imperieusement cette paix.

Sous peu de têms il montera un ingenieur pour lever le plan du fort et du terrein des arkes, ainsi que des autres portes fortifié sur les deux rives du Misisipi, lequel fera les devis, et formera le projet des amelior-issemens convenables à chaque, pour le tout être examiné dans une assemblée ou conseil d'officiers generaux qui sont nommés à ce sujet, ainsi il pourra en même têms, ordonner les réparations absolument indispensables à votre fort.

Le traité des limites et de navigation conclu entre l'Espagne et les Etats Unis d'Amerique, portera peutêtre quelque changemens à la situation de nos postes sur le Misisipi, comme nous en ignorons encore la teneur, on ne peut que former des conjectures à cet égard.

Je vous ai marqué ci-devant, que j'avois passé une parole trés forte à la nation Chicasaw sur les déprédations que quelques uns de ses guerriers committent à votre poste. Si elle ne fut pas d'effet, il sera à propos de tacher d'en arreter un ou deux, et de me les envoïer; je les tiendrai en prison quelque têms, ce que leur fera plus d'impression que tout le reste.

Madame de Carondelet me charge, ainsi que ma fille, de vous faire bien des remercimens des langues excellentes que vous leur avez envoié; je me joins à elle pour vous assurer du sincere attachement avec lequel j'ai l'honneur d'être,

Monsieur, votre très humble,
Et très obeissant serviteur,
LE BARON DE CARONDELET.

Monsieur Charle de Vilemont.

Nouvelle Orleans, *ce 29 Avril*, 1796.

En reponse, Monsieur, à vos lettres du 22 Fevrier, 12 Mars, et 12 Avril, j'ai l'honneur de vous dire que vous avez très bien fait de temoigner l'attachement à Yguluyacabé, grand chef de la nation Chicasaw, á qui nous devons notre établissement des Ecores, et qui est pensionné par le roi. Desorte que nous pouvons compter sur son parti, qui est très considérable dans la nation; mais vous devez faire en sorte d'eloigner sans vous compromettre les sauvages de ce bord, qui sans cela detruiront la chasse de l'autre, et devasteront nos établissements. Le moyens les plus assuré, comme je vous l'ai déja dis, est de maintenir la paix entre la nation Arkansas et celle des Osages, à fin que ceux ci pouvant s'approcher sans crainte du

poste mettent les sauvages de l'autre bord dans le cas de n'oser s'avancer dans le pays de crainte de les rencontrer. Les Cadaux ne veulent pas la paix, avec les Osages ainsi il faut les laisser agir comme bon leur semblera.

J'ai refusé la permission que m'ont demandés deux Ameriquains de traverser le fleuve avec des partis Choctaws, pour aller chasser dans vos cantons ; s'ils s'y rendent, et que vous puissiez les arreter sans dangers, envoyez les bien assurés à Nogales, d'ou on me les fera passer. Quant à votre fort, il ne faut pas penser à le changer de place dans les circonstances presentes d'autant que les edifices en ont été faits il y a peu d'années à neufs, mais nous voirons de le faire entourer d'une bonne palisade et une banquete.

J'ai reçu le minot de froment que vous avez eû la bonté de m'envoyer, et que j'ai remis au Capitaine General qui me l'avoit demandé, il seroit bien à desirer que tous ces établissemens de la haute Louisiane s'adonnassent à la culture du bled, qu'à la traite qui ne produit qu'un bien être passager ; nous manqueons absolument de farine, desorte que nous mangeons depuis hier du pain meslé avec du ris.

Je suis très sensible au compliment que vous avez bien voulu me faire sur le grade de marechal-de-camp, que le roy m'a accordé ; on pretend que cette grace a été suivie de la Capitainerie General de la Havane, mais cette nouvelle merite confirmation ; si elle etoit certaine j'en serois doublement flatté, puisqu'elle me procureroit l'avantage d'être utile à la Louisiane, et à ceux que j'ai l'honneur d'avoir actuellement à mes ordres.

J'ai reçu une lettre de M., votre frere, qui continue à jouir d'un accueil favorable de la part du Premier Ministre, ainsi il doit esperer d'être dans peu très avantageusement placé.

Ces dames me chargent de vous dire bien des choses gracieuses de leur part. Portez vous bien et disposez, Monsieur, de votre très humble, et très obeissant serviteur,

LE BARON DE CARONDELET.

Monsieur De Vilemont.

Nouvelle Orleans, *May* 14, 1796.

J'ai reçu, Monsieur, votre lettre du 28 Avril, qui m'apprend que Mr. Chouteau a reçu trop tard l'avis du rendezvous au Cadran bleu, que vous lui aviez indiqué. D'après le traité de limites conclu avec les Etats Unis, qui redeviennent maitres de l'autre bord du fleuve, il sera plus necessaire que jamais aux nations du votre de se tenir etroitement unies entre elles, pour en ecarter les sauvages Chies, Chactaws, et Talapouches, que les Ameriquains engageront a aller chasser de leur coté.

Don Juan Perchet est chargé d'examiner en homme de l'art la situation la plus favorable pour faire un fort respectable aux Arkansas ; en attendant il disposera des moyens de mettre l'actuel hors d'étre insulté, par une bonne palisade avec sa banquete, et quelque pieces d'artillerie bien placées ; desque les troupes se retiront des Ecores, elles completeront en passant votre garnison jusqu'a quarante hommes. Mais vous devrez faire tout votre possible pour empecher les Ameriquains de passer

le fleuve, et de venir s'etablir sous votre commandement, a moins que ce ne soient de bons laboureurs en grains qui y viennent avec les outils, et les moyens necessaires pour la culture du bled, car il faut favoriser ceux ci en tout ce qui dependra de vous.

J'ai renouvellé mes recomandations à Mr. Chouteau de tenir ses Osages en paix avec votre poste ; de votre coté, vous devez engager vos gens à les accueillir partout ou ils les trouveront.

Ces dames mes chargent de vous faire bien des amitiés de leur part, et moi je vous prie de me croire, avec le plus sincere attachement,

Monsieur, votre très humble,
Et très obeissant serviteur,
LE BARON DE CARONDELET.

Monsieur De Vilemont.

Nouvelle Orleans, *Septembre* 12, 1796.

N'yant reçu, Monsieur, aucune nouvelle des Arkes depuis vos lettres du 8 et 10 Aout, je suis fort inquiet sur le sort qu'aura eû la maladie de Don Juan Perchet, que j'estime infiniment, et à qui je serois au desespoir qu'il fut arrivé quelque accident facheux ; s'il a eû le bonheur de s'en tirer, comme je l'espere, il ne doit pas tarder à descendre, car je ne peux rien determiner concernant les fortifications du fort que je ne reçoive les renseignemens que je lui ais demandé ; nous voirons à y elever egalement une eglise et une maison curiale.

Je crois que le parti que prennent les chasseurs du poste, de se faire accompagner par dix soldats de la nation Osage des plus determinés, est en effet le plus certain pour faire leur chasse avec securité; j'en ècris très serieusement à Mr. Chouteau, en lui ordonnant egalement de faire rendre les vingt chevaux, les sept carabines, et le fusil qui ont été enlevés.

Votre poste va devenir aussi important que considerable ; d'après le traité de navigation et limites conclu avec les Etats Unis, une quantité d'étrangers Catholiques etablis en Amerique, et degoutés de leur Gouvernement, se disposent à emigrer avec tout leur bien à la Louisiane, des propositions m'ont deja été faites à se sujet, et j'espere qu'au printems vous en voirez les effets : ainsi votre poste n'aura plus à redouter les sauvages.

J'ai passé à Mr. De Bouligny le vale de cent piastres que vous m'avez fait passer.

Agréez les remercimens de votre souvenir de la part de ces dames nous avons eû le malheur de perdre en deux jours de maladie, mon frere ex-chanoine de Cambrai, et été sur le point de perdre egalement mon fils, ce qui nous a rempli de chagrins. J'ai l'honneur d'être, avec le plus sincere attachement,

Monsieur, votre très humble,
Et très obeissant serviteur,
LE BARON DE CARONDELET.

Envoyez moi, je vous prie, les langues que je vous ai demandé, pour les remettre à Madrid, mais en y joignant le prix.

Monsieur De Vilemont.

Nouvelle Orleans, 17 *Fevrier*, 1797.

J'ai reçu, Monsieur, vos lettres du 20 et 29 Decembre, aux qu'elles je n'ai pu repondre plustôt parcequ'une pirogue du poste est repartit sans prendre de passeport.

Je suis bien faché de ne pouvoir informer votre placet pour le grade, vous avez devant vous Messieurs Collet et Portell, qui le meritent de preference par leur ancienneté de services, et particulierement le dernier, qui va à 42, et plusieurs campagnes; mais pour adoucir cette nouvelle, j'ai dis à Madame, votre mere, que je vous laisserai aux Arkansas, tant que vous vous y comporterez comme vous l'avez fait jusqu'à present.

Comme les Ecores, Nogales, et Natches, vont être evacués, j'ai donné l'ordre de vous remettre de Nogales quatre pieces de quatre, quatre pierriers, un artilleur, et un caporal, et dix fusiliers du fixe, portant dors en avant votre garnison à 40 hommes. J'envoie egalement le nommé Rivas *Sobrestante* des ouvrages de fortification, avec un charpentier, pour planter la nouvelle palisade; la garnison sera emploiée à cet ouvrage et à refaire la banquète: à chaque bastion en formera quatre embrasures pour le canon, qui se fermeront comme les sabords d'un vaisseau, et les crenaux pour la mousqueterie seront ouverts à six pieds au moins de terre; de cette façon vous serez au moins en sureté contre les sauvages à qui vous pourrez faire la loi, au lieu de la recevoir.

J'ai ecris fortement a Mr. Chouteau, qui obtiendra la tête de l'Osage qui a tué le chasseur des Arkes, ou perdra son privilege.

Je suis très reconnoissant des langues que vous m'avez envoié, et qui sont deja parties pour Madrid; mais je vous avois prié de m'en faire scavoir le montant, etant destinée au Marquis De Tranda, oncle de Madame De Carondelet, qui me les avoit demandé; elle me charge de vous en reiterer ses remercimens, ainsi que ma fille qui vous fait bien des complimens.

J'ai l'honneur d'être, avec la plus parfaite consideration,

Monsieur, votre très humble,

Et très obeissant serviteur,

LE BARON DE CARONDELET.

Monsieur De Vilemont.

Aborda de la Vigilante, 6 *Enero*, 1796.

Mi mui estimado Amigo: Me tenia propuesto el gusto de hacerle a Vm. una visita en su Puerto y recorrer un poco del pais, pero las resultas de mis viajes me ponen en la precision de baxar quanto antes, ademas tengo con migo una numerosa comitiva que no pueda dexar. Todas estas circunstancias me ponen en la desagradable situacion de no poder dar a Vm. un abrazo ahora, pero sera en otra ocasion.

Doy a Vm. las sinceras gracias por los hermosos abanicos que embra a mi casa; me avisan que son los mas bonitos que han visto.

Veré al Am. Rhea al poso por Natchez o quiras en Nueba Orleans. Hagame Vm. el gusto de dar mis expresiones a Mon. Fagot, como asimismo a Madame Valier y su familia.

Puedo asegurar a Vm. que se toman las mas serias medidas qua impe-

dir que los Osages hagan dano a las gentes de este Puerto. Me consta que han matado el que vino aqui ultimamente, con cuyo escarmiento poco a poco dexaran de ser porjudiciales.

Rehitero a Vm. mi fino afecto con el que queda ala obediencia de Vm. su maior apanonedo J. B. S. M.

MANUEL GAYOSO DE LEMOS.

Sr. Don Carlos De Vilemont.

Nueba Orleans, 4 *de Abril*, 1799.

Mi Estimado Amigo: He recivido las mui apreciables de Vm. a quel he dexado de contextar por las apuradas circunstancias en quel me hallo faltandome el tiempo para attender a mi correspondencia particular. Doy a Vm. muchas gracias por las lenguas, quel salieron mui buenas.

Vm. permanecera en ese Puerto algun tiempo mas, pues he destinado para que le releve Don Francisco Casaluengo quando sea capitan y siguramente no lo sera dentro de un ano pues hay quel embiar nueba propuerta; asi tendra Vm. tiempo para redondearse y disfrutad de este mande algun tiempo mas, lo quel hago con mucho gusto no solo por consideracion a Vm. sine por la de su respectable madre y familia.

He ofrecido a los Arkansas quel han baxado con Vaugine, que escriviria a los Gobernadores y generales Americanos para impedir quel los Choctas vagan en partida de Guexar sobre los Cadoes, con lo que se van contentos digalo Vm. tambien a la nazion y qui tengan presente lo quel he dicho a estos que baxaron, sobre matar el ganado de los vecinos, &c.

Paselo Vm. bien y mande a su seg. serv. J. B. S. M.

MANUEL GAYOSO DE LEMOS.

Sr. Don Carlos De Vilemont.

Arkansas, 10 *de Novembre, de* 1803.

Mi Dueno y Amigo: Quanto mas se acerca el tiempo de decidirse d nuestra cruerte, ô bien de embiar al Gobierno el citado de la artilleri municiones, &c. tanto mas me coscuentra assurado por la falta de las 75 20c. convavidas, y mas assurado por no tener conqué hacer frente à la insolencias de los Indios insuportables de dia en dia, haviendome vist precisado à denacer algunos cartuchos para municionar la trope y carga los morteros en dos alertas que hé tenido, la una cansada por Pery, qu pintado, y con su carabina vino de echo à matarme al fuerte por haberl recusado (citando borracho) una botella de aguardiente, y aunque sem hà escusado de ello conque no cabia loque se hacia, tengo, y no soyco sospechas de que era asunta premeditado. Evitose, como se pudo la de gracia; y ya sea cito, votra cosa hà levantado el real, y se pié con familia à la Petit Prairie.

Ahi và la copia de la responsaralidad que Vm. me hiro paraque pue embiarme, como lo espero, por primera ocasion loque contiene. Ten que cita campana a lo alto del rio nos sea fatal, porque hasta a hora no

han offreciamas que dificultades para encontrar a los Osages: tres veces salio de aqui para ello Jph. Bogy, y su padre no lo pudo executrer hasta el 31 de Septiembre. Nada sabemos aun de aquel, y si que una gran partida de cita nacion hà robado varios cavallos de los casadores, desapareciendo uno de citos llamado Sevellé: Juan Lavergne se bolrio uno de citos dias, con varios otros por haberle robado, y destrorardo su campamento. Vea Vm. si cito puede tenernos car cuidado, principalmiente a M. Bogy, interesada en su Marito, y dos hijos. En cite citado de cojas se preparaban los famosos Arkansas Sarracen y Guachinango à levantar cada uno su partido para ir contra los Osages, pero pude disuadirles de su intento: Osala pudiere hacer lo mismo, con otras partidas de Chactas, que parea se preparan âl mismo fin segun me hà dicho Baset, que acaba de llegar de Natches.

Espero se harà Vm. cargo de mi embarro, y que creerà que si por aqui hubiere podido remediarlo evitaria por a hora el recordarlo â Vm. pero las circunstancias son tan criticas, que no me permiten suspenderlo.

Queda de Vm. como spre. su màs afectma. y aparion. serv. y amigo J. S.M. B.

FRAN'CO CASO Y LUENGO.

Sr. Don Carlos De Vilemont.

P. D. Quando escrivi cita, se proponia a baxar Belhuracur pero mudò de parecer, y solo ha ido hasta Natches desde entonces aqui no se hà proporcionado otra ocasion hasta la presente, por laque sabra Vm. quanto para en la scrivera, por loque escuso el repetirlo.

Los Americanos que se dejan caa por aqui nos anuncian la proxima llegada de su patriotas a tomar posesion de loque los Francoses les han vendido: cada notécià de cita es una punatada para mi, por la situacion enque Vm. me tiene, expuesto al mayor sonroso: hagase Vm. cargo de ella para cacarme sur mas perdida de tiempo, y antes que se vaga â vrar de su licencia, como me han dicho pensaba la primuva proxima.

Con su arivo de Vm. entregaré a Mr. Bogy, ó quien gusto loque quedó a deverla por los efectos, o muebles, que me vendio; y en el interim, y siempre queda de Vm. con todo afecto.

LUENGO.

State of Louisiana, *parish of Orleans*:

Louis Bouligny being duly sworn, deposes that the eight original letters, addressed to the late Carlos de Vilemont, to which this affidavit is annexed, five of which are from Governor Carondelet, and dated March 6, 1796, April 29, 1796, May 14, 1796, September 12, 1796, and February 17, 1797; two from Governor Gayoso de Lemos, and dated January 6, 1796, and April 4, 1799; and one by Caso y Luengo, the commandant of Arkansas, dated November 10, 1803, are all signed and entirely written in the hand-writing of the persons by whom they purport to be signed. Deponent was well acquainted with the said persons, and knows their hand-writing perfectly. Gayoso de Lemos was in 1796 Governor of Natchez, and in 1797 he was appointed Governor of Louisiana. Caso y Luengo was an officer in the regiment of Louisiana, in

which deponent was also an officer. Deponent's father was the colonel of that regiment, and Caso y Luengo was, for some time, his secretary.

L. BOULIGNY.

Sworn to and subscribed before me,

EDWARD RAWLE,
Judge of the city court.

NEW ORLEANS, *December* 27, 1836.

Extract from a letter of Governor Carondelet to Carlos de Vilemont, dated New Orleans, March 6, 1796.

I send you enclosed a letter from Mr. de Blanc, formerly commandant of Natchitoches, in which he, no doubt, informs you that he cannot attend at the place of meeting which you have indicated to him, because the Caddoes and other neighboring nations refuse to make peace with the Osages, consequently you will go there only with the Arkansas. I hope, nevertheless, that the new commandant, Don Felix Trudeau, will succeed in bringing them to reason, and to understand their own interests, which imperiously require this peace. * * * *

I wrote to you before this that I had sent a very strong talk to the Chickasaws, concerning the depredations which some of their warriors commit at your post. If this fails to produce effect, it will be proper to endeavor to take one or two of them and to send them to me. I shall keep them some time in prison, which will produce more impression than all the rest.

Extract of a letter from the same to the same, dated the 29th of April, 1796.

In answer to your letters of the 22d of February, 12th of March, and 12th of April, I have the honor to say, that you have done very well to show friendship to Igulagacabe, great chief of the Chickasaw nation, to whom we owe our establishment of the "Ecores," and who is pensioned by the King; thus we can rely on his party, which is very considerable in the nation; but you ought to endeavor, without exposing yourself to any difficulty, to keep away the Indians of this side of the river, who otherwise would destroy the chase on the other side, and lay waste our establishments. The most certain way to do this, as I already told you, is to preserve peace between the Arkansas and Osage nations, in order that these may approach the post without fear, and thus prevent the Indians of the other side from going into the country, from apprehension of encountering them. The Caddoes will not make peace with the Osages; so we must let them do as they please.

Extract of a letter from the same to the same, (Carondelet to Vilemont,) dated May 14, 1796.

Owing to the treaty of limits concluded with the United States, which become again masters of the other side of the river, it will be more necessary than ever for the nations on your side to remain closely united, to keep away the Chics, Choctaws, and Talapouches, whom the Americans will persuade to go hunting on their side.

Mr. Juan Perchet, a professional man, has been ordered to examine the most favorable situation for a respectable fort in Arkansas; in the mean time he will use what means exist, to put the present fort in a condition not to be insulted, by a good palisade with its banquete, and some well-placed pieces of artillery. As soon as the troops will withdraw from the "Ecores," they *will complete, in passing your garrison, to forty men.* * * * * * * *

I have again recommended to Mr. Chouteau to keep his Osages in peace with your post; on your part you ought to advise your people to treat them well whenever they meet them.

Extract from a letter from Carondelet to Vilemont, dated September 12, 1796.

I believe that the determination which your hunters have formed, to go out accompanied by ten of the most determined Osage warriors, is indeed the best way to pursue the chase with security. I have written to Mr. Chouteau very seriously about it, ordering him at the same time to procure the restitution of the 20 horses, 7 rifles, and the gun which have been taken away.

Your post will become very important and considerable. In consequence of the treaty of navigation and limits concluded with the United States, many Catholic strangers established in America, and disgusted with their Government, are disposed to emigrate with all their property to Louisiana. Propositions have already been made to me, and I hope that next spring you will see their effects. Thus your post will have nothing more to fear from the savages.

Extract from a letter from Carondelet to Vilemont, dated February 17, 1797.

I regret that I cannot approve your petition for advancement; you have before you Messrs. Portell and Collet, who deserve it in preference, by seniority of service, particularly the latter, who has been 42 years in the service and in several campaigns; but, to soften this information, I told your mother that I shall leave you in Arkansas as long as your conduct shall be such as it has been hitherto.

As the Ecores, Nogales, and Natchez will be evacuated, I have given orders to send you from Nogales four 4-pounders, 4 swivels, a cannonier, and a corporal and ten fusiliers of the fixed regiment; thus increasing your garrison to forty men.

Thus you will at least be secure against the savages, to whom you will be able to give the law instead of receiving it from them.

I have written in strong terms to Mr. Chouteau, who will either obtain the head of the Osage who killed the hunter from your post or lose his privilege.

Extract of a letter from Manuel Gayoso de Lemos (then Governor of Natchez) to Carlos de Vilemont, dated January 6, 1796.

I can assure you that serious measures are taking to prevent the Osages from injuring the people of this post. I have been informed that one

who lately came here has been killed; this punishment will deter them from doing more harm.

Extract from a letter from Manuel Gayoso de Lemos (then Governor of Louisiana) to Carlos de Vilemont, dated New Orleans, April 4, 1799.

You will remain a little longer at the post, for I have destined Dn. Francisco Caso y Luengo to be your successor when he shall be a captain, which will assuredly not be before a year; for it will be necessary to send on a new proposition; thus you will have time to settle your business and enjoy your command a little longer; which I do with great pleasure, from regard not only for yourself, but also for your respectable mother and family.

I told to the Arkansas who came down with Vaugine, that I would write to the American Governors and Generals to prevent the Choctaws from going to war with the Caddoes, with which they were satisfied. Please also to tell to the nation to keep in mind what I told to those that came down concerning the killing of the cattle of the inhabitants, &c.

Extract from a letter from Francisco Caso y Luengo (Vilemont's successor as commandant of Arkansas) to Carlos de Vilemont, dated November 10, 1803.

The nearer the moment approaches which is to decide our fate, or to send to the Government an account of the artillery, ammunition, &c. the more I am embarrassed by the want of the 750 rations, and of the means to oppose the insolence of the Indians, which every day becomes more insupportable. I have been under the necessity of opening some cartridges to arm the troops and to charge the mortars in two alarms, one of which was occasioned by Pery, who came to the fort painted and with his rifle, on purpose to kill me, because I had refused him a bottle of brandy when he was drunk, and although he has (since) excused himself, saying he did not know what he was doing, still I have suspicions, and I am not the only one that has, that this was a preconcerted affair. His rudeness was avoided as well as could be, and whether it be for this or some other reason, he raised his encampment and went with his family to Little prairie.

I fear that this campaign up the river will be unfortunate, because as yet nothing but difficulties have been met with, for the Osages are in the way: three times Joseph Bogy and his father started from here to go there, but could not succeed until the 31st of September. We know, as yet, nothing of him, and have understood that a large party of that nation have stolen several horses from the hunters, one of whom, by the name of Leveille, has disappeared. Juan Lavergne returned some days ago with several others, having been robbed and their encampment having been destroyed. You may judge whether all this keeps us in anxiety—principally Madame Bogy, who fears for her husband and sons. In this state of things the famous Arkansas, Sarracen, and Guachinango, prepared themselves to raise each his party to march against the Osages, but I succeeded in dissuading them from the attempt. I greatly wish I could

succeed as well with other parties of Choctaws, who it seems, are making preparations for the same object, as I have understood from Baset, who has just arrived from Natchez.

Felix Grima being duly sworn, deposeth that he has compared the eight preceding translated extracts from letters written by Governor Carondelet, on March 6, 1796, April 29, 1796, May 14, 1796, September 12, 1796, and February 17, 1797; by Governor Gayoso de Lemos, on January 6, 1796, and April 4, 1799; and by Caso y Luengo, the commandant of Arkansas, on November 10, 1803, with the original letters to which an affidavit is annexed by Louis Bouligny, Esq. showing that those letters are entirely in the handwriting of the persons by whom they purport to have been signed. Deponent further says that the said extracts are correct and faithful translations of the corresponding parts of the said letters.

FELIX GRIMA.

Sworn to and subscribed before me,

EDWARD RAWLE,
Judge of the city court.

New Orleans, *December* 29, 1836.

PETITION OF A NUMBER OF CITIZENS OF ARKANSAS,

Praying that the confirmation of the claim of the heirs of Don Corlos de Vilemont may be confined to Point Chicot, &c.

In Senate, January 17, 1837.--Referred to the Committee on Private Land Claims.
January 20.--Ordered to be printed.

To the honorable the Senate and House of Representatives of the United State:

The petition of the undersigned inhabitants of the town of Columbia, in Chicot county, State of Arkansas, and of adjoining tracts understood to be embraced in the Spanish claim of the heirs and representatives of the late Carlos de Vilemont, and heretofore sold by the United States, respectfully sheweth:

That they beg leave to join the heirs and legal representatives of the late Carlos de Vilemont in their prayer for the confirmation of the concession of the said Carlos de Vilemont, with certain modifications, which, while they will secure to your petitioners the peaceable possession of the property which they have bought from the United States, and have since improved in good faith, will at the same time offer to the claimants an adequate compensation for that portion of their claim which has been sold as public land since 1830, and settle their title to the tract of land which has hitherto been reserved from sale on account of the said claim.

A brief statement of the circumstances attending the sale of the lands occupied by your petitioners will explain and show the justice of this application. In 1830, a considerable extent of land above, below, and behind Point Chicot, and extending back to Old-river lake, was offered for sale by a proclamation of the President of the United States. All this land being of a very superior quality, was then or shortly afterwards either sold or covered by Lovely claims, with exception of so much thereof as lay in township 15 south, range 1 east of the fifth principal meridian line, which was reserved by the register and receiver, on account of said de Vilemont's claim. This reserved land is the point of land known by the name of Point Chicot, or at least the greater part of it, and includes upwards of 4,000 acres. It remains unsold to this present moment, and is occupied by the widow and heirs of de Vilemont, Horace F. Walworth, B. L. Miles, and the heirs of Boone.

This reservation of 4,000 acres is, however, far from sufficient to answer the call of the claim, which is for two leagues front by one league in depth; and if the claim was confirmed for its whole extent, it would of course embrace the lands adjoining the point, and now owned by your petitioners. Under this apprehension, your petitioners, who have bought with the sanction of the Government, and in the belief that they were acquiring a good title, have hitherto resisted the confirmation of the claim, and still believe that they ought to be maintained in their possessions.

If, on the other hand, the claimants had a valid claim, and the aforementioned sale took place through an error of the officers of the Government, it would not be worthy of the enlightened justice of the American

Government, if they were thus absolutely deprived of the greater part of their property.

Under these circumstances, it is believed, both by the claimants and your petitioners, that substantial justice could be rendered to all the said persons, if, as they now presume to pray, the claim was absolutely confirmed for so much of the land as has never been sold by the United States, on Point Chicot, east of the fifth principal meridian line, and if, for the remaining portion of the claim, which has been sold, the claimants were permitted to locate an equal number of acres on other unappropriated lands.

Your petitioners will only permit themselves to add some further reasons, which they hope will be found of some weight in deciding on their application.

It has always been a fact of general notoriety in this neighborhood, that the late Carlos de Vilemont had a grant to Point Chicot, and his family has been for many years and is now residing on the point. But the claim has never been surveyed; its precise location, its extent beyond Point Chicot, properly so called, the direction of the side and rear lines, and its very superficial extent, were not known among the inhabitants of the county.

Your memorialists believe that since the death of Don Carlos de Vilemont, which occured about 1824, his family, principally composed of ladies and young children, were not much better informed on the subject than your petitioners, and not even in possession of a copy of the grant, the original having been laid before Congress by a distant agent of the claimants in support of their application for its confirmation. In 1830, your petitioners or their vendors, found the lands, now their property, advertised for sale; they necessarily supposed that the agents of the Government acted within the scope of their duties and with a full knowledge of the subject, and that it had been ascertained that the said lands were not covered by the claim. Your petitioners were not bound to and did not make any further inquiries; they thought it sufficient to have the authority of the agents of the Government for believing their lands public property, and they bought them with the sanction and upon the invitation of the Government. Since then, the county town of Columbia has been established above Point Chicot, on the land thus purchased in 1830, which is now stated to be in the limits of the original grant. The county seat, which was formerly established on Point Chicot, on a small tract given to the county by Andrew Latting, a settler, was removed to Columbia, and one of the principal reasons for this measure was, that Andrew Latting's donation was covered by the Vilemont claim, and that Columbia was believed to be without the limits of it; for the same reason the county commissioners, appointed under an act of the Territorial Legislature of the 31st of October, 1831, to choose the county seat and receive donations for it, refused a donation offered by John C. Jones on Point Chicot, which was also within the limits of the original settlement of Andrew Latting. Since that period, the town of Columbia has been steadily progressing, and is now one of the most flourishing villages of the State. Other tracts, sold since 1830, and claimed under the Vilemont grant, have been brought under cultivation, and are covered with valuable improvements; much of the property similarly situated has repeatedly changed

hands, and been sold at prices incomparably higher than their first cost; and it may be safely asserted that all this property has similarly increased in value, and that the confirmation of the claim to the portion of lands thus sold would bring ruin upon many individuals who acted in all matters relating to this property with the most entire good faith.

If the preceding reasons be thought entirely sufficient to prevent the confirmation of the claim to such portions as are held by your petitioners under the United States, it must however be acknowledged that the refusal of a compensation to the claimants for the land sold would be a great hardship.

The memorialists are informed by the claimants that, if the claim was not surveyed, it is not attributable to their neglect; that under the Spanish Government it was next to impossable to induce a surveyor to come to this remote and then unsettled district; that since the change of Government they were not permitted to have the claim surveyed, special orders having been given to this effect; that since 1812, unremitting exertions have been made by their agents to procure the confirmation of the claim; that the sale of 1830 was unauthorized, and contrary to express law, as the claim had been regularly filed for confirmation; that, independently of this, their agent, William Russell, then agent, protested in writing against the sale, and filed a caveat in the land office at Little Rock; and that the claim is unquestionably valid according to the usuages and customs of the Spanish Government, and entirely similar to hundreds of Spanish claims which have heretofore been unhesitatingly confirmed by Congress.

It will behoove the claimants to lay the proof of these facts before your honorable houses. The petitioners are not called upon nor competent to decide on the principles which ought to govern this claim, but if, as they are inclined to believe, it is valid, and protected by the treaty of cession, the compensation which the claimants solicit for that portion of their claim which has been sold, is but an imperfect indemnity, for they can certainly find no vacant lands in this State equal in value to those to which they propose to abandon all further claim.

Still less would your honorable houses probably hesitate to confirm the claim to that portion of the claim embracing Point Chicot itself, which has not yet been sold, for this was expressly reserved for the claim; it never was doubted that the claim covered it. Part of it has been for many years uninterruptedly occupied by the Vilemont family, who are the oldest settlers on it, and their claim to it was known to nobody better than to the other settlers, their immediate neighbors. Some of the subscribing inhabitants of Chicot county, without being the owners of property within the supposed limits of the de Vilemont claim, have presumed to join in the prayer of their fellow-citizens—knowing it to be a subject of great importance to the community of which they are members, that the title of the valuable property claimed under Carlos de Vilemont's concession should be definitely settled, and believing that the decision prayed for in this memorial is according to justice and worthy of the American Government.

The petitioners therefore respectfully pray that the claim of the heirs and legal representatives of the late Carlos de Vilemont be confirmed to that portion of Point Chicot which lies east of the 5th principal meridian line, in townships 14 and 15 south, range 1 east, and that, for the balance

of their claim which has been sold by the United States, they be permitted to locate an equal number of acres on unappropriated public lands within the State of Arkansas.

F. Steuart
Jas. L. Brown
James H. Check
John Ingles
John White
James Russell
David Clay, his + mark
Hiram Monell
Patrick O'Hara
Cephas Smith, sen.
A. Brookir
William Taylor
A. W. Webb
Hugh White
J. B. Maulding
Daniel Roberts
S. H. Dabney
Daniel W. Hampton
Peter Hanger
John B. Winetor
Abraham Ransom
Wm. A. Hardy
Thomas Jones
Hiram Bryant
Benjamin L. Moss
Wm. W. D. Pettit
William Ingram
Alexander Kerr, jr.
Thomas J. Wildman
W. P. Reyburn
S. E. Jones
James M. Fevers
Joseph Ward
N. Faulkner
G. H. Dale
Benjamin Patton
U. B. Patton
William R. Jones
Jno. C. Hanna

Henry Burnett
Reymond R. Mathis
J. H. Hannicutt
Cephas Smith, jr.
J. W. Michie
Reuben Smith
George Beal
John D. Heard
William S. Oliphant
John C. Hamilton
John Wright
Thomas Gosley
Francis Royeraff
Hugh McGary
John Sumner
John P. Obannon
John W. Mauldin
G. White
Samuel D. Walker
James B. Farell
James Estill
William Johnson
Thos. J. Thurmond
Eastriland Venters
Thomas Brady
Thomas Stokes
Samuel Estill
Edward Vaughn
Frederic Skinner
Samuel H. Estill
Jacob Obannon
Wm. H. Gains
James F. Taylor
Drew White
John Buzzard
Thomas W. Copeland
Samuel Copeland
S. C. Faulkner
Cyrus Hathaway

John L. Fisher
Jacob Colson
William H. Wilson
Stokely Ward
Pendleton Hill
Jefferson Forsythe
John Mathis
Jesse Skinner
Button Ward
Samuel Wallace
D. W. Penington
P. S. Penington
A. G. Brown
William Mathis
John Stuart
James M. Stuart
Spencer C. Heard
B. G. White
George H. Offutt
James P. Ford
S. Monroe
Tully Sawyer
N. B. Estill
Willim Jones
John H. Gilliam
W. R. Wills
Zephaniah Harvey
F. Clawson
George D. Lampkin
R. W. Carpenter
J. Fuller
W. Stevens, his × mark
Henry Roberts
B. F. Summers
J. Jonson
Jno. D. Camp
Luther Pike
D. Pemberton